

# Financial Services Guide (FSG)

## Limited License Resource

# Financial Services Guide

**David J Gibney Pty Ltd** ABN 49 006 828 280 ACN 006 828 280

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**Preparation date:**

## *1. What is a Financial Services Guide?*

This Financial Services Guide ('FSG') helps you understand and decide if you wish to use the financial services we are able to offer you. It is a document that we are required by law to provide to inform you of basic matters prior to providing you with financial advice.

It provides you with information about David J Gibney Pty Ltd (David Joseph Gibney us, our, we) and the services we provide. It tells you:

- who we are, the details of the AFSL and how we can be contacted
- what services and products we are authorised to provide to you
- how we (and any other relevant parties) are paid
- details of any potential conflicts of interest
- important information of the features, benefits and risks to assist you in making an informed decision about whether to buy the product or not, and
- how we deal with complaints.

We may provide you with personal advice that takes into account your needs, financial situation and circumstances. Where we provide you with personal advice we will provide you with a Statement of Advice ('SOA'). The SOA outlines our advice and the basis on which the advice was given. It also outlines relevant information about us, our fees, interests and associations which may have influenced the provision of the advice as well as charges associated with our advice.

If we provide further personal advice, you may request a record of the further advice that is provided to you, if you haven't already been provided with it. You can also contact us, using the details at the start of this FSG, within 7 years from when the advice is provided to request this record.

Occasionally we provide general advice. If we provide you with general advice, it may not be appropriate to your needs, financial situation or objectives, and you should consider your circumstances before choosing to proceed with our advice. Additionally, you should obtain and read the applicable Product Disclosure Statement ('PDS') (if one is available) before making a decision.

If we help you establish a self-managed superannuation fund ('SMSF'), we may provide you with a PDS. The PDS contains information about the product to assist you in making an informed decision about the SMSF. It will outline relevant terms, significant risks, and fees and charges associated with the product.

We have arrangements in place to maintain professional indemnity insurance. This insurance satisfies the requirements under section 912B of the Corporations Act 2001.

Please retain this FSG for your reference and any future dealings with us. We may also add documents at a later date which will also form part of this FSG, and these should be read together with the FSG. These documents will include the word 'FSG' in the heading. From time to time we will update this Financial

Services Guide. An updated guide is always available on our website but we will endeavour to provide you with an updated version upon the provision of a new Statement of Advice (SOA). This may be an electronic copy attached to an email sent to you so please read all the attachments in emails carefully. At any stage, you can request a Financial Services Guide by fax, phone, email or mail. This is an important document. Please read it and keep it in a safe place.

## **2. Who will be providing the Financial Services to you?**

### **The Licensee**

David J Gibney Pty Ltd is the holder of an Australian Financial Services Licence No. 486720 listed on the [Financial Advisor Register](#) (*Financial Advisor #001247913*) and is responsible for the financial services that it and its representatives provide to you. David J Gibney Pty Ltd authorises, and is also responsible for the content and distribution of this FSG. Related details are as follows:

ABN	49 006 828 280
Australian Financial Services License Number	486720
Sole Director & Representative of Licensee	David Joseph Gibney
Phone	03 5422 6480
Fax	03 5422 6242
Office Address	10 Baynton St, Kyneton VIC 3444
Postal Address	PO Box 601, Kyneton VIC 3444
Email Address	<a href="mailto:david@davidjgibney.com.au">david@davidjgibney.com.au</a>
Website	<a href="http://www.davidjgibney.com.au">www.davidjgibney.com.au</a>

You can provide instructions to us by contacting us using contact details at the start of this FSG. We act on your behalf when we provide financial services to you.

## **3. What services and products are we authorised to provide to you?**

There are two types of advice service we provide and it is important to understand the difference:

**Personal Advice** – this is advice provided by us to you on the suitability of general insurance policies or other financial products to meet your particular need. We will agree with you when this services is to be provided and what the scope of our personal advice will be. For example, in some cases we may only provide personal advice on which of a selected list of products is appropriate for you. Before we provide any personal advice, we will need to undertake a needs analysis so we can provide you with appropriate advice.

**General Advice** – this is where we provide a general recommendation or opinion to you on a general insurance policy or a financial product which is not based on our consideration of your personal needs. We tell you when this is the case because if general advice is given, you need to consider if the general advice and any relevant product is right for your circumstances as we have not done this for you.

In some cases where we arrange more than one policy for you, we may provide personal advice for one policy and general advice for another. We will tell you when this is the case. We are authorised to provide personal advice to both retail and wholesale clients in relation to SMSFs and superannuation products (in relation to your existing superannuation holdings where we recommend you establish a SMSF or where we provide you advice about contributions or pensions under a superannuation product). We can also arrange to deal in SMSFs. Please refer to ASIC's [INFO 206](#) sheet for further information.

We are also authorised to provide ‘class of product advice’ on superannuation, securities, simple managed investment schemes, general insurance, life risk insurance, and basic deposit products. Class of product advice means that we can recommend broad classes of products to you, but we cannot recommend specific, named products within the class.

The services that we are authorised to offer include:-

- Self Managed Superannuation Funds (SMSFs)
- Investment and wealth creation advice
- Retirement planning
- Risk assessment and management
- Financial planning following redundancy
- Estate planning and business succession planning
- Asset protection advice
- Superannuation advice on contributions and withdrawal (pension) strategies but not fund selection.
- Salary packaging and tax planning.
- General (but not product advice on) Life, Trauma, total and permanent disability, income protection and business expenses insurance.

In providing our services, other financial matters may arise, such as which specific products to invest in, within your superannuation fund. However, we are not authorised to provide advice relating to those financial issues, or any other issues except those explained above.

#### **4. *What fees and commissions are payable to David J Gibney Pty Ltd?***

We receive fees for providing you with our services. All fees described in this FSG include GST. Our hourly rate is currently \$341 per hour (including GST). The cost of the advice will be proportional to the skill and knowledge required for the type of work, the degree of responsibility applicable to the work and the time required to prepare your Statement of Advice. David J Gibney Pty Ltd does not charge asset fees nor receive commissions. We charge a fee for service or a contractually agreed fixed price signed off with a Letter of Engagement.

The better organized that you are and the more efficiently answers to queries are provided then the more cost effective the advice will be. If we have to repeatedly ask you for the same details or you only partially answer questions and we have to seek the answers to those questions multiple times, then the cost will increase.

We do not accept any “soft dollar” or non-monetary payments or services from the people who we source our products from.

This agreement will be documented in a Retainer Agreement and payment is required when we are retained. Cheques may be made out to David J Gibney Pty Ltd or paid by direct deposit to our bank account as detailed on all our invoices as follows:-

National Australia Bank  
Mollison St, Kyneton  
BSB 083-713  
Account 46-669-6337

All accounts are due in 7 days and we will get you to sign a Letter of Engagement before we will provide you with a Statement of Advice (SOA). This letter of engagement includes a personal guarantee for the payment of the fees charged. You may request more details about the way David J Gibney Pty Ltd is remunerated within a reasonable time after receiving this document.

## **5. *How are our people and third parties remunerated?***

David J Gibney Pty Ltd does not have ownership or contractual links with any financial product manufacturer that could restrict or unduly influence its advice. We have no incentive to recommend the product of one institution over another.

The staff at this business are remunerated by salary.

David J Gibney Pty Ltd receives compliance and technical services from CPA Australia, legal advice from “Know Compliance” and a service organization called “Heffron SMSF Solutions” which are totally independent organizations. Lawrence McCarthy of McCarthy and Associates Financial Services is also consulted for specialist advice on risk insurance issues when required. In providing advice and service to its clients David J Gibney Pty Ltd retains the services of other professionals from time to time. This includes accountants, auditors, solicitors, insurance advisers and other independent consultants. David J Gibney Pty Ltd does not receive or pay referral fees to any party for referring clients to us. David Joseph Gibney is the founder, representative and sole director of the David J Gibney Pty Ltd.

You may request more details about the way these people or entities are remunerated within a reasonable time after receiving this document and before any financial services are given to you.

By using or continuing to use our services, you agree that:

1. All fees and charges received by us as described in this FSG (other than third party fees and charges) are a benefit given to us by you, in exchange for the services provided by us.
2. You understand, consent to, authorise and direct us to charge you in this way.

## **6. *What should you do if you have a complaint?***

If you have a complaint, you can contact your David J Gibney Pty Ltd representative David Joseph Gibney and discuss your complaint.

If your complaint is not satisfactorily resolved within 30 days, please contact our Complaints Manager via the contact details at the start of this FSG, please put your complaint in writing and send it to David J Gibney Pty Ltd, PO Box 601, Kyneton VIC 3444. We will try and resolve your complaint quickly, fairly and within prescribed time frames.

If an issue has not been resolved to your satisfaction, you can lodge a complaint with the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers.

Website: [www.afca.org.au](http://www.afca.org.au)  
Email: [info@afca.org.au](mailto:info@afca.org.au)  
Telephone 1800 931 678 (free call in Australia)  
In writing to: Australian Financial Complaints Authority,  
GPO Box 3, Melbourne Victoria 3001



The Australian Securities & Investments Commission (ASIC) also has a Free information line on 1300 300 630 which you may use to make a complaint and obtain information about your rights.

## **Other Important Issues to consider**

### **Standard of Advice**

The advice that you will receive will be suitable to your needs and financial circumstances. To provide this service we need to find out your individual objectives, financial situation and needs before we recommend any financial products or services 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 not having your full personal information and you should read the warnings carefully.

### **Risks of financial products or strategies recommended to you**

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

### **Privacy of client information**

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

We are committed to implementing and promoting a privacy policy that will ensure the privacy and security of your personal information in accordance with the Privacy Act 1998 (Commonwealth Privacy Act) and Australian Privacy Principles. A copy of the privacy policy is available on request.

Where required, we will provide you with a Collection Notice which outlines how we collect, disclose and handle your personal information. A Copy of our privacy policy is available on our website at [www.davidjgibney.com.au](http://www.davidjgibney.com.au)

If you would prefer to have a copy mailed to you, please ask us.

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

### **Instructions from you**

You can provide us with instructions as well as instruct to buy or sell your financial products by telephone, letter fax or other means such as email.