

# FINANCIAL SERVICES GUIDE AND CREDIT GUIDE

Issued 15th April 2019

OYA Financial Services Pty Ltd (AFSL 421290 ACL 421290)  
ACN 156 147 223

Corporate Authorised Representative: Osborne Yuille Financial Services Pty Ltd (ASIC No 283452)

## AUTHORISED REPRESENTATIVES

Cameron Stuart (ASIC No 456160)  
Damian Smith (ASIC No 246154)  
Lorena Millett (ASIC No 288757)  
Nestor Ramirez (ASIC No 329290)

## Credit Representatives

John Osborne (ASIC No 378814)  
Nestor Ramirez (ASIC No 378816)

## CONTACT DETAILS

Ground Floor, 18-20 Waterloo Street Narrabeen  
PO Box 88 Narrabeen NSW 2101  
P 02 9970 3111 F 02 9970 3122  
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W [www.oya.com.au](http://www.oya.com.au)

## WHY AM I RECEIVING THIS DOCUMENT?

This Financial Services Guide & Credit Guide (FSCG) is an important document which we are required to provide to you as a condition of our Australian Financial Services Licence (AFSL) & Australian Credit License (ACL).

References in this FSCG to 'me', 'I', 'us' and/or 'our' should be read as your 'Authorised Representatives'.

The Guide contains information about:

- OYA Financial Services
- Osborne Yuille Financial Services (Osborne Yuille)
- Your Financial Advisers (Cameron Stuart, Damian Smith, Lorena Millett & Nestor Ramirez).
- Your Credit Advisers (John Osborne and Nestor Ramirez)
- The services offered and their cost
- Any conflicts of interest which may impact the services
- How we deal with complaints if you are not satisfied with our services.

When we provide you with financial planning services you may receive:

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

## INFORMATION ABOUT US

OYA Financial Services Pty Ltd holds its own Australian Financial Services Licence (421290), which has been issued by the Australian Securities and Investments Commission (ASIC).

OYA Financial Services Pty Ltd also holds its own Australian Credit Licence (421290), which has been issued by the Australian Securities and Investments Commission (ASIC).

We are licensed to arrange loans and leases under the National Consumer Credit Protection Act 2009 (NCCP Act). The NCCP Act regulates

the activity of lending, leasing, and finance broking.

As a licensee, we are required to comply with the obligations of the Corporations Act and the conditions of our various licences.

This includes the need to have compensation arrangements in place with a Professional Indemnity Insurer.

Osborne Yuille Financial Services Pty Ltd is a corporate authorised representative of OYA Financial Services Pty Ltd.

For over 30 years, we have been advising companies and individuals on how to build stronger financial futures.

Our team of highly qualified financial advisers & credit advisers offers years of experience in all areas of financial planning. The advisory team is supported by a group of exceptional support staff, who are dedicated to meeting the needs of our clients in a timely and professional manner.

## WHAT SERVICES DO WE PROVIDE?

OYA Financial Services holds a licence to provide a comprehensive range of services, including:

- Superannuation advice
- Self-Managed Superannuation Funds (SMSF)
- Personal insurance advice
- Managed investment advice
- Direct shares advice
- Retirement planning advice
- Aged care advice
- Margin lending advice
- Strategic advice about consumer credit and consumer credit referrals
- Portfolio review services
- Credit Assistance

These services are provided to both wholesale and retail clients. Please note, not all OYA financial advisers are qualified to provide advice on all of the above services.

OSBORNE YUILLE FINANCIAL SERVICES  
ADVISORY TEAM

At Osborne Yuille Financial Services, you will have access to the following advisers:

John Osborne, BBus, MBus.Fin, ADFS, Dip FMBM  
Chairman / Director / Credit Representative

John has over 30 years of experience in various areas of Financial Services. He has an extensive background in business management and accounting.

John is an authorised credit representative of OYA Financial Services Pty Ltd under our Australian Credit Licence.

Cameron Stuart, BEcon, ADFS, CFP®  
CEO / Director / Senior Adviser

Cameron is an employee of Osborne Yuille Financial Services and is qualified to provide the services listed under the section "What services do we provide?" excluding Credit Assistance & Aged Care.

Cameron has over 20 years of experience as a specialist interest rate trader. Cameron's extensive experience spans across Australian, New Zealand, US and Canadian markets. His trading products included cash, bank bills, forwards, foreign exchange, swap derivatives and inflation products.

Cameron is an authorised representative and acts on behalf of Osborne Yuille Financial Services Pty Ltd under our Australian Financial Services Licence.

Damian Smith, ADFS, JP, AFP®  
CIO / Compliance Officer / Senior Adviser

Damian is an employee of Osborne Yuille Financial Services and is qualified to provide the services listed under the section "What services do we provide?" excluding Credit Assistance.

Damian has over 20 years of experience in the financial planning industry with over 15 years of experience as a Financial Adviser. He provides advice on superannuation including self-managed superannuation funds, personal & business insurances, margin lending, retirement planning, estate planning, wealth creation and investment advice.

Damian is an authorised representative and acts on behalf of OYA Financial Services Pty Ltd under our Australian Financial Services Licence.

Lorena Millett, ADFS, AFP®  
Adviser

Lorena is an employee of Osborne Yuille Financial Services and is qualified to provide the services listed under the section "What services do we provide?" excluding Credit Assistance.

Lorena has over 13 years of experience as a Financial Adviser. She provides advice on superannuation including self-managed superannuation funds, margin lending, retirement planning, estate planning, wealth creation, personal and business insurance, aged care and investment advice.

Lorena is an authorised representative and acts on behalf of OYA Financial Services Pty Ltd under our Australian Financial Services Licence.

Nestor Ramirez, ADFS, Dip FMBM, AFP®  
Adviser – Credit Representative

Nestor is an employee of Osborne Yuille Financial Services and is qualified to provide the services listed under the section "What services do we provide?" excluding Aged Care.

Nestor has over 8 years of experience as a Financial Adviser. Nestor provides advice on superannuation including self-managed superannuation funds, retirement planning, estate planning, wealth creation, personal and business insurance, investment advice, mortgages and finance.

Nestor is also an authorised credit representative and acts on behalf of OYA Financial Services Pty Ltd under our Australian Financial Services Licence and Australian Credit Licence.

## THE FINANCIAL ADVICE PROCESS

We recognise that the objectives and personal circumstances of each client are different. As a result, we provide advice which is carefully tailored to your individual circumstances.

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 make sure we address all issues.

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

The Statement of Advice will explain the basis for the advice, the cost to you of implementing the advice and any commissions or associations which may have influenced the advice.

We will also provide you with a Product Disclosure Statement. This contains information about each product recommended to help you understand the investment being recommended.

When providing any credit services, Credit Representatives of OYA Financial Services will not act as your agent, and will not act as agent of any credit provider, except to the extent necessary as part of the application process.

We will not suggest that you apply, or assist you to apply, for a credit contract or for an increase to the credit limit of a credit contract or suggest that you remain in a credit contract if we assess that the credit contract is unsuitable for you.

A credit contract will be unsuitable if:

- the credit contract does not meet your requirements or objectives;
- it is likely that you will be unable to comply with your financial obligations under the credit contract; or
- it is likely that you could only comply with your financial obligations under the credit contract with substantial hardship.

At all times, you are able to contact us and ask questions about the advice and investments recommended.

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

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

The further advice we provide will be dependent on the terms of the Client Services Agreement you sign with us. It will be documented in a Record of Advice (unless you take up our Managed Discretionary Account service).

## FEES

All fees are payable to Osborne Yuille Financial Services Pty Ltd.

Your Financial Adviser receive a salary as an employee of Osborne Yuille Financial Services Pty Ltd

Your Financial Adviser may also receive an incentive bonus based on a number of factors including generated revenue for OYA Financial Services Pty Ltd.

John Osborne and Cameron Stuart are Directors & equity owners of Osborne Yuille Financial Services Pty Ltd and they are entitled to receive a directors' fee & share of the profits.

Your first meeting with us is complimentary and obligation free.

## Plan Preparation Fee

The Plan Preparation fee includes all initial meetings with you, the time we take to determine our advice and the production of the SoA.

The Plan Preparation fee is based on the scope and complexity of advice provided to you. We will determine this fee with you at our first meeting, after we have clarified your requirements.

## Plan Implementation Fee

If you decide to proceed with our advice, we will charge a fee for the time we spend assisting you with implementation. We will let you know what the fee will be in your SoA.

#### Ongoing Services Fees

Once your investments are established we will provide the opportunity to meet with you every twelve months (or at another frequency we agree upon) to provide performance reports and update our advice.

The updates will consider the latest investment research from industry experts, changes in legislation, new products available in the market and any changes to your personal circumstances.

Ongoing fees will depend on what ongoing services are provided, and may be either an agreed fixed fee, or a percentage of your portfolio value.

The services and fees will be set out in the SoA or RoFA that we provide to you.

#### COMMISSIONS

OYA Financial Services Pty Ltd may receive commissions from some product providers.

The commission amount will vary depending on the product which is recommended. We will tell you the exact amount in the SoA or RoA.

#### Investment Commissions

We may receive a monthly commission payment from some investment providers. These will be based on your account balance and will continue to be paid for as long as you hold the product.

#### Insurance Commissions

We may receive a one-off upfront commission when you take out an insurance policy we recommend. We may also receive a monthly commission payment for as long as you continue to hold the policy.

#### Placement Commissions

We may receive a percentage of transaction value i.e. a placement commission on capital raisings for listed stocks. This includes IPO's and rights issues.

#### Credit Service Commissions

Our Credit Representatives may receive commissions from the lenders and lessors who provide finance for you as our customers. These are not fees payable by you. You may obtain from us information about a reasonable

estimate of those commissions and how the commissions are worked out.

#### Licensee Commission

Some product providers may pay an additional licensee commission. This is based on the total funds invested in their products or the total insurance premiums for their policies across our entire client base.

#### Other Benefits

We may also receive additional benefits by way of sponsorship of education seminars, conference or training days. Details of any benefits received above \$100 will be maintained on a register which is available to you on request.

#### REFERRAL FEES AND COMMISSIONS

In some situations, we may 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 may 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.

The following entities are associate companies of OYA Financial Services & Osborne Yuille Financial Services:

- OYA Finance Pty Ltd
- OYA Accounting & Taxation
- OYA Business Directions

## Making a Complaint

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.

Please call our Compliance Officer, Damian Smith, on 02 9970 3111 or put your complaint in writing to Damian at our head office:

Operations & Compliance Manager  
OYA Financial Services Pty Ltd  
PO Box 88 Narrabeen NSW 2101

If you are not satisfied with our response you can refer it to the Australian Financial Complaints Authority (AFCA). You can contact AFCA on 1800 931 678 or via their website [www.afca.org.au](http://www.afca.org.au). This service is provided to you free of charge.

## YOUR PRIVACY

We maintain a record of your personal information. This includes details of your objectives, financial circumstances and needs.

We also maintain a record of the recommendations we make.

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

We will only disclose information about you:

- To product providers we recommend and you agree to use
- Where the law requires us to do so
- If you consent for us to do so

OYA Financial Services & Osborne Yuille Financial Services have a privacy policy for your personal information. You can ask us for a copy if you would like further information.

## Licensee Credit Guide

This document provides information about the services that OYA Finance Pty Ltd (ACN 076 306 100) provide.

We are licensed to arrange loans and leases under the National Consumer Credit Protection Act 2009 (NCCP Act). The NCCP Act regulates the activity of lending, leasing, and finance broking.

### Licensee details

OYA Financial Services Pty Ltd (ACN 156 147 223)

Australian credit license:	421290
Street Address:	44/18 – 20 Waterloo Street, Narrabeen NSW 2101
Mailing Address:	PO Box 88, Narrabeen NSW 2101
Phone:	1300 727 082
Email:	<a href="mailto:complianceofficer@oya.com.au">complianceofficer@oya.com.au</a>
Website:	<a href="http://www.oya.com.au">www.oya.com.au</a>

### Services we provide

As your mortgage brokers, we will act as your lending experts; making sure you understand the loan repayments, loan features, fees and charges of your home loan.

Saving you time and money, we can search hundreds of loan products from a panel bank and non-bank lenders, comparing fees, charges and loan features to best suit your lifestyle.

If you need it, we can also help you with your car finance, business finance or insurance needs.

We will help you to choose a loan or lease which is suitable for your purposes. Additionally, we will provide you with information on a broad range of financiers and products. Once you have chosen a loan or lease that is suitable for you, we will help you to obtain an approval.

### Our panel lenders

We source finance from a panel of financiers. The financiers named below are the eight financiers with which we conduct the most business.

- ING Direct
- BankWest
- Commonwealth Bank
- NAB Broker
- St George
- Westpac
- ANZ Bank
- Macquarie Bank

We will need information from you

Under the NCCP Act, we are obliged to ensure that any loan or principal increase to a loan we help you to obtain, or any lease we help you to enter, is not unsuitable for you. To decide this, we may need to ask you some questions in order to assess whether the loan or lease is not unsuitable. The law requires us to:

- make reasonable inquiries about your requirements and objectives;
- make reasonable inquiries about your financial situation;
- take reasonable steps to verify that financial situation.

Credit will be unsuitable if at the time of the assessment, it is likely that:

- you could not pay or could only pay with substantial hardship;
- the credit will not meet your requirements and objectives.

For example, if you can only repay by selling your principal place of residence, it is presumed that the loan will cause substantial hardship unless the contrary is proved. For this reason, we must ask you to provide a significant amount of information. It is therefore very important that the information you provide us is accurate.

We must provide you with a copy of our preliminary credit assessment of your application if you ask within seven years of when we assist you. We are only required to give you a copy of the credit assessment if we give you credit assistance.

If we arrange a loan for you to purchase or refinance real estate, remember you must make your own enquiries about the value of the real estate and its potential for future growth. Although we may obtain a valuation, that is for our own use and you should not rely on it.

Fees payable by you

OYA Finance Pty Ltd does not charge you for the credit services it provides. However, our credit representatives sometimes charge fees for their services. More details about the fees payable by you will be documented in the quote. You may also obtain more information from your credit representative about how these fees and charges are worked out and a reasonable estimate.

You may also be required to pay the lender's application fee, valuation fee, government charges and other transaction fees.

Commissions received by us

We may receive commissions from the lenders and lessors who provide finance for you as our customers. These are not fees payable by you. You may obtain from us information about a reasonable estimate of those commissions and how the commissions are worked out.

Commission's payable by us

OYA Financial Services and our credit representatives source referrals from a broad range of sources. For example, we may pay fees to call centre companies, real estate agents, accountants, or lawyers for referring you to us. These referral fees are generally small amounts and accord with usual business practice. These are



not fees payable by you. You may, on request, obtain a reasonable estimate of those commissions and how the commission is worked out.

#### Our internal dispute resolution scheme

We, at OYA Finance Pty Ltd believe that it is essential for our customers to be able to identify and deal with a broker who has the ability, authority and proper training to hear and respond appropriately to any complaints or disputes. We are committed to the effective handling of complaints and timely resolution of disputes.

#### Receiving complaints and the complaint process

If you have a complaint or a dispute, you have the option of either contacting your broker or lodging the complaint directly with OYA Financial Services.

You can lodge complaints with OYA Financial Services by contacting the Compliance Officer:

Phone: 1300 727 082  
Email: [complianceofficer@oya.com.au](mailto:complianceofficer@oya.com.au)  
Address: PO Box 88, Narrabeen, NSW 2101

You can also speak with any representative of our business who will refer you to the Compliance Officer.

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. We hope that in this way we will stop any unnecessary and inappropriate escalation of minor complaints.

We will observe the following principles in handling your complaint:

- there is no requirement for face-to-face contact between you and us, although it may be useful for us to come to a satisfactory resolution;
- we expect that both parties will make a genuine attempt to resolve a complaint promptly;
- we expect that both parties will provide all essential and relevant information, documents, written statements and any other materials that may properly and reasonably be believed to assist in resolving the complaint;
- we expect that both parties will comply with all reasonable requests from the other party to provide information within a reasonable time frame.

#### Time frames for response

If your request cannot be resolved immediately, we will respond to your request within two (2) business days of receipt of the complaint. We will keep you informed of the progress of the investigation.

Our external dispute resolution scheme

If we do not reach agreement on your complaint, you may refer the complaint to an ASIC Approved External Dispute Resolution (EDR) Scheme. Our external dispute resolution provider is AFCA (Australian Financial Complaints Authority).

Free call: 1800 138 422  
Phone: 02 9273 8400  
Fax: 02 9273 8440  
Email: [info@afca.org.au](mailto:info@afca.org.au)  
Website: [www.afca.org.au](http://www.afca.org.au)  
Mail: Case Management Team  
C-/Australian Financial Complaints Authority  
GPO Box 3  
Melbourne VIC 3001

External dispute resolution is a free service established to provide you with an independent mechanism to resolve specific complaints.

More information

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.

## Representative Credit Guide

We have appointed the person below as our credit representative in the provision of credit assistance to you.

### Credit representative details

Credit Representatives Name: John Osborne  
Credit Representatives Number: 378814  
Business Name: OYA Finance Pty Ltd  
Street Address: 44/18-20 Waterloo Street, Narrabeen NSW 2101  
Phone: (02) 9970 3111  
Email: [finance@oya.com.au](mailto:finance@oya.com.au)

The information detailed above applies specifically to the credit representative.

In addition, the credit representative may receive the whole or part of the commissions and fees referred to above directly or indirectly from us as the representative. You can obtain information from the credit representative about a reasonable estimate of those commissions and how the commission is worked out.

The credit representative has access to the financiers listed in the licensee credit guide above.

### Fees payable by you

The credit representative does not charge you for the credit services because the representative receives commission from the financier or the licensee. However, you may need to pay the financiers application fee, valuation fees, and other fees.

## Representative Credit Guide

We have appointed the person below as our credit representative in the provision of credit assistance to you.

### Credit representative details

Credit Representatives Name: Nestor Ramirez  
Credit Representatives Number: 378816  
Business Name: OYA Finance Pty Ltd  
Street Address: 12 Cumberland Street, Cessnock NSW 2325  
Phone: (02) 4936 1447  
Email: [Nestor.Ramirez@oya.com.au](mailto:Nestor.Ramirez@oya.com.au)

The information detailed above applies specifically to the credit representative.

In addition, the credit representative may receive the whole or part of the commissions and fees referred to above directly or indirectly from us as the representative. You can obtain information from the credit representative about a reasonable estimate of those commissions and how the commission is worked out.

The credit representative has access to the financiers listed in the licensee credit guide above.

### Fees payable by you

The credit representative does not charge you for the credit services because the representative receives commission from the financier or the licensee. However, you may need to pay the financiers application fee, valuation fees, and other fees.