

## **PERSONAL DISCLOSURE STATEMENT**

Name of Financial Adviser: Philip John Caldwell  
Business address: Suite 1, Level 1, The National Hotel, 47 Alpha Street, Cambridge.  
Trading Name: The Lime Group (2015) Limited trading as Lime Group  
Telephone Number: (07) 827 7199  
Facsimile: (07) 827 7499  
Email Address: phil@limegroup.co.nz  
Mob: (021)755 433

**It is important that you read this document as it provides some useful information about the Financial Adviser that you choose.**

### **Introduction:**

This Disclosure Statement is provided with the Securities Markets Act 1988, and the Securities Markets (Investment Advisers and Brokers) Regulations 2007. New disclosure requirements under the Financial Advisers (Disclosure) Regulations 2010 are effective from **1<sup>st</sup> July 2011**, to comply with the Financial Advisers Act 2008.

This Disclosure Statement provides you with information about me and about:

- The services I provide.
- How I operate my business.
- My qualifications and experience.
- The financial organisations I am able to place business with.
- How I am remunerated.
- Relationships or financial interests that I have with the providers of financial products I advise on.

**I provide this Disclosure Statement to you to ensure openness in our relationship.**

### **Nature of Business:**

**My name is Philip John Caldwell and I am a Mortgage Adviser, trading as the 'Lime Group'.  
My core day to day activity involves arranging home loan facilities for clients.  
I have been trading as a Mortgage Adviser since July 2003.**

**My personal Financial Service Provider acceptance # is 108811, in terms of the minimum legislative requirements as a 'REGISTERED, but not Authorised, FINANCIAL ADVISER.'**

### **Personal History:**

I have been working in the Finance Services Industry since 1997 and, before becoming a Mortgage Adviser, gained extensive experience in areas of Retail Banking.

From 1997 until 2003 I worked for Countrywide Bank and The National Bank in Auckland and Cambridge. In July 2003 I resigned from the Bank to set up my own Mortgage Broking operation (Phil Caldwell Mortgages Ltd). In September 2009, together with my current Business Partner, we merged the activities of both our operations to become The Lime Group (2009) Ltd. We have recently expanded our company to include another Business Partner, and have now become The Lime Group (2015) Ltd.

### **Industry Awards:**

I have the following industry awards and lending qualifications:

- PAA 'New Zealand Mortgage Adviser of the Year' Finalist 2015
- NZMBA 'New Zealand Mortgage Broker of the Year', National Winner 2005.
- NZMBA 'NZ Mortgage Broker of the Year', Waikato/BOP Regional Winner 2005, 2010 & 2011.
- NZMBA 'NZ Mortgage Broker of the Year', Waikato/BOP Regional Finalist 2005, 06, 07, 08, 09, 10 & 2011.
- PLAN NZ 'Broker of the Year' Finalist 2004 & 2005.

**X**

**Initials**

### **Qualifications:**

I have participated and passed many finance related courses and examinations, including courses related to the technical aspects of lending, retail banking, administration and customer services.

I passed the pre-requisite course required to become a Mortgage Adviser and I continue to attend regular training on aspects related to my profession. The terms of my accreditation as a Financial Services Provider requires me to maintain a level of competency measured by the granting of individual Professional Development points. I comply with those requirements in all respects.

**I hold Broker Agreements directly with the Lenders I submit business to and have access to the following Lenders:**

- |                        |                     |                              |
|------------------------|---------------------|------------------------------|
| ▪ ANZ BANK             | ▪ THE CO-OPERATIVE  | ▪ DBR FINANCE                |
| ▪ RESIMAC HOME LOANS   | ▪ BANK              | ▪ SOUTHERN CROSS FINANCE LTD |
| ▪ SOVEREIGN HOME LOANS | ▪ ASB BANK          | ▪ FIRST CREDIT UNION         |
| ▪ AVANTI FINANCE       | ▪ WESTPAC           | ▪ FIRST MORTGAGE TRUST       |
| ▪ AMP BANKING          | ▪ SBS BANK          |                              |
| ▪ GENERAL FINANCE      | ▪ BNZ               |                              |
|                        | ▪ LIBERTY FINANCIAL |                              |
|                        | ▪ TSB BANK          |                              |

### **What should you do if something goes wrong?**

If you are not satisfied with the service that you have received from me you should contact us. We have an Internal Complaints process and undertake to investigate your concerns promptly and fairly. You may contact us to make a complaint by telephone, by email or in writing.

I am a member of an Independent Dispute Resolution Scheme (as required by law) operated by Financial Services Complaints Limited (FSCL), as approved by the Ministry of Consumer Affairs. We have 40 days to respond to your complaint. If you are not satisfied with our response you may refer the matter to FSCL. They can be contacted by email: [info@fscl.org.nz](mailto:info@fscl.org.nz) or by calling 0800 347 257. **My FSCL membership number is 3031.**

Full details of how to access the FSCL scheme can be obtained on their website [www.fscl.org.nz](http://www.fscl.org.nz). There is no cost to you to use the services of FSCL.

### **How am I regulated by the Government?**

You can verify that I am a registered Financial Adviser at <http://www.fspr.govt.nz>

The Securities Commission regulates Financial Advisors. Contact the Securities Commission for more information, including financial tips and warnings. You can report information, or complain about my conduct to the Securities Commission, but in the event of a disagreement, you may choose to first use the dispute resolution procedures described above (under **What should you do if something goes wrong?**).

### **Professional Indemnity Insurance:**

For your protection I am required to hold a Professional Indemnity Insurance policy for no less than \$1 million (maximum cover \$1 million per claim). The Lime Group (2015) Ltd holds cover for a total of \$10 million. In proven cases this protects my clients from financial loss due to fraud, gross negligence, gross misrepresentation etc (if perpetrated by me). This policy is held with Lumley Insurance and managed by the PAA.

### **Disclosure:**

I hereby certify that in the preceding 10 years, I have not been:

- The subject of a successful claim (for dishonesty, negligence, or misrepresentation) under any Professional Indemnity Insurance policy held by me or on behalf of me.
- Convicted of an offence for dishonesty or any relevant offence under any Act or Law applying in New Zealand, nor been a Director of a Company so convicted.
- Adjudicated bankrupt (nor am I an undischarged bankrupt, or had a bankruptcy discharged).
- Convicted of any crime involving dishonesty or an offence under the Securities Markets Act 1988 and the Securities Markets (Investment Advisors and Brokers) Regulations 2007.
- Prohibited by law from taking part in the management of a Company.
- Expelled from or prohibited from being a member of a Professional Body.
- Placed in statutory management, voluntary administration or receivership. Nor are there any proceedings currently being taken against me, (or any company of which I am a Director) under any of the above, or with respect to my accredited membership of the PAA.

X  
\_\_\_\_\_  
Initials

**Conflict of Interest:**

At all times I operate in the best interests of my clients, operating without conflicts of interest and with objectivity. The nature of business has been fully described above and clients are therefore aware of the options available to them, when appointing me as their Mortgage Adviser.

**Privacy Act:**

All discussions and information shared with me are subject to the Privacy Act 1993. You are entitled to have access to, and information from, your file upon request. A detailed description of the information you supply is covered in the authority and declaration you sign with each application you make with me.

**Legal and Accounting:**

Any discussions on legal and accounting issues do not replace advice from professionally qualified specialist advisers (solicitors and accountants). I strongly recommend that you obtain such independent and specialist advice.

**Remuneration:**

In the normal course of business I receive commission from the lenders that I place clients' home loans with. This is confirmed by the authority and declaration signed by my clients on the standard PAA/Lime Group loan application form. A copy is presented to my client at the time of application and includes the words:

The nature of this commission can be a single upfront commission (percentage of the loan facility), an ongoing (trail) commission (percentage of the loan facility), or a mix of both. I receive remuneration in the form of the following:

- Commissions paid at time of loan draw down range from 0.5% to 0.7% of the loan amount.
- Trail Commission paid is generally paid at the rate of 0.15% of the outstanding loan balance, if applicable.

**Commission Clawback:**

By signing this statement you have authorised Philip John Caldwell (herein referred to as PJC) to arrange mortgage finance, and accept that remuneration (in the form of commission) for PJC in assessing, documenting and negotiating with the lender, is paid by the lender to PJC on the provision that the loan remains current for at least 18 months.

The commission payable by the lender to PJC in relation to this loan is between 0.5% and 0.7%. The applicant therefore agrees that in the event of (early) repayment of the loan (in whole or in part) within 27 months from settlement, the applicant will reimburse PJC for the commission (clawback) amount calculated on the following basis:

- within first 9 months of settlement                      100% of commission on debt repaid
- after 9 months but before 18 months                      66% of commission on debt repaid
- after 18 months but before 27 months                      33% of commission on debt repaid

**Charging of fees:**

I may charge a one-off fee for work completed for clients where such work does not attract a broker payment from the lender, or where such payment does not commercially compensate me for the work undertaken. This charge, if applied, will be disclosed by me at the earliest possible time during the loan assessment process.

**Payments to other parties:**

From time to time I may choose to share my commission with others who refer clients to me. Such payments are applied solely at my discretion and are in no way detrimental to my clients.

**Irregular Remuneration & Non Monetary Benefits:**

From time to time I may receive certain monetary or non monetary benefits from lenders and /or other parties. Product Providers may invite me to functions and training at no cost or at a reduced cost or provide me with gifts, entertainment, events, participation in conferences, seminars, travel from product providers whose products I market.

**Declaration:**

I, Philip John Caldwell, declare that this Personal Disclosure Statement incorporates the minimum disclosure requirements of the Financial Advisers Act 2008 in my role as a Registered, but not Authorised, Financial Adviser.

Signed by the Mortgage Adviser:



Philip John Caldwell

Date:

.....

X  
Initials

**Client Acknowledgement:**

I/we acknowledge that our Mortgage Adviser has explained the contents of this Personal Disclosure Statement and has given me/us a copy:

Signed by the Client: .....

.....

Date: .....