

EQUAL ACCESS FUNDING PTY LTD

PRIVACY POLICY

1. INTRODUCTION

This Policy applies to Equal Access Funding Pty Ltd ABN 23 156 554 255 (referred to as 'EAF', 'we', 'our', 'us') and covers all of its operations and functions.

All Third Parties (including customers, representatives, suppliers, sub-contractors, or agents) that have access to or use personal information collected and held by EAF must comply with this Privacy Policy. EAF makes this Policy available free of charge and can be downloaded from www.eafunding.com.au.

This Policy outlines EAF's obligations to manage and protect personal information. EAF is bound by the Australian Privacy Principles ('APPs'), the Credit Reporting Privacy Code ('the Code') and the *Privacy Act 1988* ('Privacy Act'). This Policy also outlines EAF's practices, procedures and systems that ensure compliance with the Privacy Act, APPs and the Code.

In this Privacy Policy:

- 'Credit information' is personal information (other than sensitive information) that relates to an individual's credit history or credit worthiness, and is further defined in the Privacy Act. Credit information includes information that we have obtained from Third Parties, including individuals, other credit providers and credit reporting bodies ('CRBs');
- 'CRB Derived information' about an individual means any personal information (other than sensitive information) about an individual that is derived from a CRB from credit information about the individual held by the CRB; and that has any bearing on the individual's credit worthiness; and that is used, has been used or could be used in establishing the individual's eligibility for consumer credit.
- 'Credit Eligibility Information' is credit reporting information about an individual that was disclosed to EAF by a CRB, or CP derived information about the individual.
- 'Credit Reporting Information' is credit information or CRB derived information about an individual.
- 'Disclosure' of information means providing information to persons outside EAF;
- 'Individual' means all persons whose personal information we collect, use or disclose.
- 'Personal information' means information or an opinion relating to an individual, which can be used to identify that individual and includes Credit Information;
- 'Privacy Officer' means the contact person within EAF for questions regarding EAF's Privacy Policy. Contact details are Privacy Officer, phone 03 9190 8972 or e-mail info@eafunding.com.au;
- 'Sensitive information' is personal information that includes information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences and criminal record, and also includes health information;
- 'Third Parties' mean customers, suppliers, sub-contractors, agents or other people having a commercial relationship with EAF; and
- 'Use' of information means use of information within EAF.

2. WHAT KINDS OF PERSONAL INFORMATION DO WE COLLECT AND HOLD?

We may collect and hold the following kinds of personal information about individuals:

- name;
- address;
- phone numbers;

- email addresses;
- employment details and pay slips;
- bank account details and account statements;
- drivers' licence details;
- financial and credit information, including:
 - details of assets, liabilities, income, expenses;
 - information about an individual's consumer credit liabilities, such as the name of an entity that has provided the individual with credit, the date of the credit was provided and the maximum amount of credit made available;
 - information about an individual's repayment history, such as whether the individual was late in making a monthly repayment and when repayments were due;
 - the type and amount of credit sought by an individual in an application;
 - whether the individual is 60 days or more overdue in making a repayment of \$150 or more;
 - whether the individual has repaid overdue payments;
 - information about new credit arrangements the individual has entered into as a result of defaulting in repayments;
 - information about court judgements against the individual in relation to credit that has been provided to them;
 - publicly available information that relates to the individual's credit worthiness;
 - information recorded in the National Personal Insolvency Index about the individual;
 - our opinion as to whether the individual has committed a serious credit infringement in relation to consumer credit provided by us;
 - any other personal information that may impact our assessment of the individual's credit worthiness; and
- any other information that is relevant to the services that we provide.

3. HOW WE COLLECT PERSONAL INFORMATION

We generally collect personal information directly from the individual. For example, personal information will be collected when an individual applies for credit, visits our website, or sends us correspondence. Sometimes we may need to collect personal information about an individual from a third party, such as financial institutions, other credit providers or a CRB. When we are provided with personal information from a third party, we will take reasonable steps to ensure that the individual is made aware of the matters set out in this Privacy Policy.

EAF will not collect sensitive information unless the individual has consented or an exemption under the APPs applies. These exceptions include if the collection is required or authorised by law or necessary to take appropriate action in relation to suspected unlawful activity or serious misconduct.

If the personal information we request is not provided, we may not be able to process an individual's application for credit, or meet an individual's needs appropriately.

EAF does not give individuals the option of dealing with it anonymously, or under a pseudonym. This is because it is impractical, and in some circumstances illegal, for EAF to deal with individuals who are not identified.

4. UNSOLICITED PERSONAL INFORMATION

EAF may receive unsolicited personal information about individuals. EAF's employees are required to notify the Privacy Officer of all unsolicited personal information received by them. We destroy or de-identify all unsolicited personal information, unless the personal information is relevant to EAF's purposes for collecting personal information.

5. ABOUT WHOM DO WE COLLECT PERSONAL INFORMATION?

We may collect personal information about the following individuals:

- customers;
- potential customers;
- service providers or suppliers;
- prospective employees, employees and contractors; and
- other Third Parties with whom we come into contact.

6. WEBSITE COLLECTION

We collect personal information from our website (www.eafunding.com.au) when we receive emails. We may also use third parties to analyse traffic at that web site, which may involve the use of cookies. Information collected through such analysis is anonymous.

7. WHY DOES EAF COLLECT AND HOLD PERSONAL INFORMATION?

We may collect and hold personal information about individuals for the following purposes:

- to assist EAF in providing a product or service to an individual;
- to verify the individual's identity and financial situation;
- to assess whether our products or services are suitable for the individual;
- to assess any applications by an individual for credit;
- managing credit provided to an individual, or collecting overdue payments;
- to protect our business and other customers from fraudulent or unlawful activity;
- to conduct our business and perform other management and administration tasks;
- to consider any concerns or complaints individuals may have;
- manage any legal actions involving EAF;
- to comply with relevant laws, regulations and other legal obligations, including the *National Consumer Credit Protection Act 2009*; and
- to help us improve the products and services offered to an individual, and to enhance our overall business.

8. HOW MIGHT WE USE AND DISCLOSE PERSONAL INFORMATION?

EAF may use and disclose personal information for the primary purposes for which it is collected, for reasonably expected secondary purposes which are related to the primary purpose and in other circumstances authorised by the Privacy Act.

We use and disclose personal information for the purposes outlined in section 7 above. Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless the individual agrees otherwise, or where certain other limited circumstances apply (e.g., where required by law). Credit information will only be used and disclosed for the purposes outlined in section 10 below.

We engage other people to perform services for us, which may involve that person handling personal information we hold. In these situations, we prohibit that person from using personal information about the individual except for the specific purpose for which we supply it. We prohibit that person from using the individual's information for the purposes of direct marketing their products or services.

In relation to sensitive information held by us, wherever possible, EAF will attempt to de-identify the information. We also undertake to delete all personal information about an individual when it is no longer needed or relevant.

9. TO WHOM MIGHT WE DISCLOSE PERSONAL INFORMATION?

We may disclose personal information, excluding credit information, to:

- a related entity of EAF;
- a representative of EAF;
- an agent, contractor or service provider we engage to carry out our functions and activities, such as our lawyers, accountants, debt collectors or other advisors;
- organisations involved in a transfer or sale of all or part of our assets or business;
- organisations involved in managing our payments, payment merchants and other financial institutions such as banks;
- regulatory bodies, government agencies, law enforcement bodies and courts;
- an individual's referee(s), employer, co-account holder or authorised signatory; and
- anyone else to whom the individual authorises us to disclose it.

If we collect personal information from these organisations and individuals we will deal with that information in accordance with this Policy.

10. HOW MIGHT WE USE AND DISCLOSE CREDIT INFORMATION?

In relation to credit information held by us, we will only use and disclose credit information for the following purposes:

- assessing an application by an individual for credit;
- collecting payments that are overdue in relation to credit provided by us;
- dealing with a serious credit infringement we believe an individual has committed;
- dealing with the Financial Services Ombudsman of which we are a member;
- the disclosure is required or authorised by law;
- assisting the individual to avoid defaulting on his or her obligations; or
- internal management purposes that are directly related to the provision or management of credit to an individual.

We will only disclose credit information to the following recipients:

- a related body corporate;
- a person who will be processing an individual's application for credit;
- a person who manages credit provided by us for use in managing that credit;
- another credit provider if we believe an individual has committed a serious credit infringement, or the individual has consented to the disclosure;
- to a person considering whether to act as a guarantor or offer property as security and the individual have expressly consented to the disclosure; or
- a debt collector;

11. SENDING INFORMATION OVERSEAS

We may disclose personal information to recipients e.g. related entities, cloud data storage providers] that are located outside Australia in some circumstances. These recipients may be located in the following countries:

- Ireland

We will not send personal information to recipients outside of Australia unless:

- we have taken reasonable steps to ensure the recipient does not breach the Act, the APPs and the Credit Reporting Privacy Code;
- the recipient is subject to an information privacy scheme similar to the Privacy Act; or
- the individual has consented to the disclosure.

12. MANAGEMENT OF PERSONAL INFORMATION

The APPs require us to take all reasonable steps to protect the security of personal information, including credit information. EAF employees must respect the confidentiality of the personal information we collect.

EAF takes reasonable steps to protect personal information held from misuse, loss, interference, unauthorised access, modification or disclosure. All personal information contained in hard copy documents held by EAF is stored in locked offices. All personal information stored on EAF's computer system is backed up regularly, and back-up copies are held in a secure location. In relation to our customer database, we apply the following guidelines:

- data ownership is clearly defined within EAF;
- passwords are routinely checked;
- we change employees' access capabilities when they are assigned to a new position;
- employees have restricted access to certain sections of the system;
- unauthorised employees are barred from updating and editing personal information;
- all personal computers which contain personal information are secured, physically and electronically;
- data is encrypted during transmission over the network;
- print reporting of data containing personal information is limited;
- EAF has created procedures for the disposal of personal information; and

Where we no longer require personal information we will take reasonable steps to destroy or de-identify it.

13. DIRECT MARKETING

EAF does not use personal information for the purposes of direct marketing, unless:

- the personal information does not include sensitive information; and
- the individual would reasonably expect us to use or disclose the information for the purpose of direct marketing; and
- we provide a simple way of opting out of direct marketing; and
- the individual has not requested to opt out of receiving direct marketing from us.

If the individual would not reasonably expect us to use or disclose the information for the purpose of direct marketing, we may only use or disclose that information for direct marketing if the individual has consented to the use or disclosure of the information for direct marketing or it is impracticable to obtain that consent.

In relation to sensitive information, EAF may only use or disclose sensitive information about an individual for the purpose of direct marketing if the individual has consented to the use or disclosure of the information for that purpose. We will not use or disclose credit information for the purposes of direct marketing.

Individuals can opt out of direct marketing by contacting us, and we must give effect to the request within a reasonable period of time. Individuals may also request that EAF provides them with the source of their information. If such a request is made, EAF must notify the individual of the source of the information free of charge within a reasonable period of time.

14. IDENTIFIERS

We will not use identifiers assigned by the Government, such as a tax file number, Medicare number or provider number, for our own file recording purposes, unless one of the exemptions in the Privacy Act applies. EAF endeavours to avoid data-matching.

15. HOW DO WE KEEP PERSONAL INFORMATION ACCURATE AND UP-TO-DATE?

EAF takes reasonable steps to ensure that the personal information, including credit information and credit eligibility information, it collects, uses and discloses is relevant, accurate, complete and up-to-date.

We encourage individuals to contact us in order to update any personal information we hold about them. If we correct information that has previously been disclosed to another entity, we will notify the other entity within a reasonable period of the correction. Where we are satisfied information is inaccurate, we will take reasonable steps to correct the information within 30 days, unless the individual agrees otherwise. We do not charge individuals for correcting the information.

16. ACCESS TO PERSONAL INFORMATION

Subject to the exceptions set out in the Privacy Act, individuals may gain access to the personal information, including credit information, which EAF holds about them by contacting the EAF Privacy Officer. We will provide access within 30 days of the individual's request. If we refuse to provide access, we will provide reasons for the refusal.

The individual will be able to look at his or her personal information at the offices of EAF. We will require identity verification and specification of what information is required. An administrative fee for search and photocopying costs may be charged for providing access.

17. UPDATES TO THIS POLICY

This Policy will be reviewed from time to time to take account of new laws and technology, changes to our operations and the business environment.

18. RESPONSIBILITIES

It is the responsibility of management to inform employees and other relevant parties that the Privacy Policy is maintained and enforced. Management must ensure that they periodically advise EAF's employees and other relevant Third Parties of any changes to the Privacy Policy.

It is the responsibility of all employees and other relevant parties to ensure that they understand and comply with this Privacy Policy. Ignorance of the existence of the Privacy Policy will not be an acceptable excuse for non-compliance.

19. PRIVACY TRAINING

All new employees are provided with timely and appropriate access to EAF's Privacy Policy. All employees are provided with opportunities to attend privacy training, which covers EAF's obligations under the Act, the APPs and the Code. Employees must ensure that they understand the Privacy related issues that could adversely affect EAF and its customers if not properly adhered to.

20. NON-COMPLIANCE AND DISCIPLINARY ACTIONS

Privacy breach must be immediately reported to management by employees and relevant Third Parties. Employees or other relevant Third Parties that do not comply with EAF's Privacy Policy may be subject to disciplinary action.

21. COMPLAINTS HANDLING

EAF has an effective complaints handling process in place to manage privacy risks and issues, which involves:

- identifying (and addressing) any systemic compliance problems; and
- handling individual complaints about privacy quickly and effectively.

Individuals can make a complaint to EAF about the handling of their personal information, including credit information, by lodging a complaint with the Privacy Officer. It is anticipated that in most cases the complaint will be able to be settled to the client's satisfaction by simply making us aware of the issue for quick resolution. Disputes are to be resolved as soon as possible, but within 14 days of receiving any dispute (by writing, email, website or a verbal dispute), Equal Access will write to the affected party advising the result of our investigation or advise if more time is required to complete the investigation. This correspondence will also acknowledge the external dispute resolution process should the internal dispute resolution process be unsuccessful or the affected party is still not satisfied with the outcome.

All disputes will be acknowledged in writing to the client and noted in the Dispute Register.

If the individual is unsatisfied with our response to their complaint, the individual can contact the Australian Financial Conduct Authority ('AFCA') for an independent review by visiting AFCA's website at www.afca.org.au.

22. CONTRACTUAL ARRANGEMENTS WITH THIRD PARTIES

EAF must ensure that all contractual arrangements with third parties adequately address privacy issues. EAF will make third parties aware of this Privacy Policy.

Third parties will be required to implement policies to ensure they comply with the Privacy Act, including:

- regulating the collection, use and disclosure of personal and sensitive information;
- de-identifying personal information wherever possible;
- ensuring that personal information is kept securely, with access to it only by authorised employees or agents of the third parties; and
- ensuring that the personal information is only disclosed to organisations which are approved by EAF.

23. INQUIRIES AND COMPLAINTS

If you have any questions about our privacy procedures, or if you wish to make a complaint about how we have handled your personal information (including credit information) you may lodge a complaint with us in any of the following ways:

- by telephoning – 03 9190 8972
- by writing to – EAF Privacy Officer, GPO Box 13320 Law Courts VIC 8010
- by emailing – info@eafunding.com.au

24. WHAT IF I AM NOT SATISFIED WITH THE RESPONSE?

If you are not satisfied with the result of your complaint to EAF you can also refer your complaint to the Office of the Australian Information Commissioner.

You can contact the Office of the Australian Information Commissioner:

- by telephoning - 1300 363 992
- by writing to - Director of Complaints, Office of the Australian Information Commissioner, GPO Box 5218, SYDNEY NSW 2001

- by emailing - enquiries@oaic.gov.au