



Privacy & Credit Reporting Policy

This policy applies to agPAY Pty Ltd (ACN 693 710 893), and its related bodies corporate (collectively 'we', 'us' or 'our').

We are committed to protecting the personal information we collect and hold about you.

Our handling of personal information we collect about you is subject to various laws (such as under the *Anti-Money Laundering and Counter Terrorism Financing Act 2006* (Cth), the *Privacy Act 1988* (Cth) (the 'Privacy Act') or the *National Consumer Credit Protection Act 2009* (Cth)). It is important to us that you are confident that any personal information we hold about you will be treated in a way which ensures protection of your personal information.

This policy includes our policy on the handling of credit-related information, as regulated by the Privacy Act and the Privacy (Credit Reporting) Code (the 'CR Code').

Personal Information

When we refer to personal information we mean information or an opinion about an identifiable individual, or an individual who is reasonably identifiable. This information may include information or an opinion about you. The personal information we hold about you may also include credit-related information (discussed below).

Collection of personal information

The kinds of personal information we may collect and hold about you depends on your relationship with us (such as whether you are a customer or an employee) and may include your name, date of birth, address, email address, marital status, number of dependants, bank account details (including internet banking login details and account numbers), transactional history (e.g. payment history and loan balances), occupation, income details, employer information and any other information we made need to identify you such as your passport, driver's licence or Medicare number.

The main consequence of us not collecting your personal information is an inability or delay in being able to identify you, contact you or provide our services to you.

We will generally not ask you to disclose sensitive information about yourself, such as your religion or health related information. However, sometimes we may be required to collect or hold sensitive information about you or you may volunteer to provide us with your sensitive information (e.g. if you volunteer information regarding your health). In those circumstances, we will ask for your consent to collect and hold sensitive information about you and we will

also determine whether the information is reasonably necessary for one or more of the purposes outlined below. Otherwise, we will destroy or de-identify that information.

Where reasonable and practical we will collect your personal information directly from you. We may also collect your personal information from third parties such as credit reporting bodies, your bank account providers, our service providers, other credit providers, lead generation businesses, access seekers, finance brokers and third party social media platforms such as Facebook.

We also collect information when you interact with our website. For more information, please see our website for details.

Electronic collection

We will collect information from you electronically, for instance through internet browsing, mobile or tablet applications.

We use a technology called 'cookies' to provide you with better and more customised service and with a more effective website and mobile application. A 'cookie' is a small text file placed on your computer by our web page server. A cookie can later be retrieved by our webpage servers. Cookies are frequently used on websites and you can choose if and how a cookie will be accepted by configuring your preferences and options in your internet browser.

We or our service providers use cookies for different purposes such as:

- to allocate a unique number to your internet browsers;
- to customise our website for you;
- for statistical and/or behavioural analysis purposes;
- to identify if you have accessed a third party website; and
- for security purposes.

In certain circumstances, data collected from use of cookies, pixels, click re-directs and tag containers may reasonably identify you and/or potentially constitute personal or sensitive information. By using our website you consent to our use of cookies, pixels, click re-directs and/or tag containers and the data they may collect or disclose, including to overseas entities.

Purposes of collection of personal information

We collect your personal and credit related information so we can:

- identify you and conduct appropriate checks on you and/ or any security;
- understand your requirements and provide you with a product or service;
- set up, administer and manage our products, including the management and administration of underwriting, and obtaining loan assessments and credit reports;
- assess your eligibility to be provided with finance and to manage the credit services we provide to you;
- manage, train and develop our employees and representatives, and providing continuing employment (in relation to our employees only);
- managing our relationship with you, including debt collection;

- manage complaints and disputes, and report to regulatory authorities and dispute resolution bodies;
- performing research and statistical analysis, including for customer satisfaction and product and service improvement purposes. This may include matching information we collect against other information held by third parties. (We may also use and disclose de-identified data for these purposes);
- helping us tailor existing or develop new products, services or offers which may be offered to you, and to help us selectively target promotional offers and opportunities to your needs;
- developing or seeking to deliver new ranges of products or services; and
- search and register security interests on the Personal Property Securities Register.

We may also use your personal information where permitted or required by law.

You must not give us inaccurate or incorrect information, or omit to provide us with information as we may not be able to provide you with our services.

Direct Marketing

We may use your personal information to market our products and services to you. If you do not wish to receive marketing information, you may at any time decline to receive such information by contacting us in any of the ways listed at the end of this policy. If the direct marketing is by email you may also use the unsubscribe function. We will not charge you for giving effect to your request and will take reasonable steps to meet your request at the earliest possible opportunity

If we hold sensitive information about you, we will not use the sensitive information for direct marketing purposes unless you specifically consent to us doing so.

Disclosure of information

We may disclose your personal (including credit-related) information to:

- any of our related bodies corporate;
- anyone who represents you or anyone to whom you have consented to the information being disclosed;
- investors, agents or advisors or any entity that has an interest in, or is considering acquiring an interest in, our business or your loan contract;
- third parties where we are required or permitted to do so by law, such as under the:
 - *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth)
 - *National Consumer Credit Protection Act 2009* (Cth); or
 - *Personal Property Securities Act 2009* (Cth);
- lead generation businesses and other credit providers. We may exchange or sell your information (including personal information and credit-related information) to third party lead generation companies or other credit providers who may use that information for any of the purposes for which we can use it. That information may also be disclosed to agents, contractors or advisors of the lead generation business or other credit provider;
- social media platforms, including online third party messenger applications such as Facebook messenger, for the purposes of contacting you;

- third parties that assist us for the purposes of conducting our business, such as:
 - companies that provide information and infrastructure systems to us;
 - marketing agencies;
 - website behaviour analysis providers;
 - interest data, remarketing and network impression reporting providers;
 - customer, product, business or strategic research and development organisations;
 - administration or business management services, consultancy firms, auditors and business management consultants;
 - print/mail/digital service providers;
 - imaging and document management service;
 - search engine optimisation service providers; and
 - credit reporting agencies;
- your employer, referees or identity verification services; and
- database providers who collect (sometimes through the use of first-party cookies, third-party cookies or other third-party identifiers), hold, use and disclose information in order to assist with identity verification, credit scoring and credit reporting bodies, debt collectors and lead providers.

The above mentioned recipients may be located overseas and may store your personal information outside of Australia, including in the USA, United Kingdom, Spain, Ukraine, Canada, New Zealand, India, Ireland, Singapore, European Economic Area and the Philippines.

Prior to disclosing any of your personal information to another person or organisation, we will take all reasonable steps to satisfy ourselves that:

- the person or organisation has a commitment to protecting your personal information that is at least equal to our commitment; or
- you have consented to us making the disclosure.

Credit-related information

We may collect and hold credit-related information and exchange this information with credit reporting bodies (including Equifax) and other entities for the purposes of assessing your credit application for finance and managing that finance. The Privacy Act limits the information that credit providers (such as us) can disclose about you to credit reporting bodies, as well as the ways in which credit providers can use credit-related information.

Credit-related information means:

- credit information, which is information which includes your identity; the type, terms and maximum amount of credit provided to you, including when that credit was provided and when it was repaid; repayment history information (information about whether you meet your repayments on time); default information (including overdue payments); payment information; new arrangement information; details of any serious credit infringements; court proceedings information; personal insolvency information and publicly available information; and
- credit eligibility information, which is credit reporting information supplied to us by a credit reporting body, and any information that we derive from it.

Any of the above credit-related information we collect from you may be held by us in electronic form on our IT servers and may also be held in paper form. We may also use cloud storage to store the credit-related information we hold about you and the IT servers may be located in or outside Australia.

When we obtain credit eligibility information from a credit reporting body about you, we may also seek publicly available information and information about any serious credit infringement that you may have committed. We may disclose your credit-related information to entities that provide support functions to us. These entities may be located overseas, including in the USA, Ukraine, New Zealand, United Kingdom, India, European Economic Area and the Philippines. You may obtain more information about these entities and their locations by contacting us using the contact details below.

Any requests to access or correct your credit-related information, or any questions or complaints about our handling of your credit-related information, will be dealt with in accordance with the provisions below in this policy.

Notifiable matters

Under the CR Code, we are required to advise you of 'notifiable matters' in relation to how we may use your credit-related information. You may request to have these notifiable matters (and this privacy and credit reporting policy) provided to you in an alternative form. The notifiable matters are as follows:

- we exchange your credit-related information with credit reporting bodies. Credit reporting bodies include credit-related information in reports to assist credit providers (such as us) to assess your creditworthiness, assess your application for finance and manage your finance;
- if you fail to meet your payment obligations in relation to any finance that we have provided or you have committed a serious credit infringement, then we may disclose this information to a credit reporting body;
- you have the right to request access to the credit-related information that we hold about you and make a request for us to correct that credit-related information if needed. Please see the heading 'Access and correction to your personal information', below;
- sometimes your credit-related information will be used by credit reporting bodies for the purposes of 'pre-screening' credit offers on the request of other credit providers. You can contact the credit reporting body at any time to request that your credit information is not used in this way; and
- you may contact the credit reporting body to advise them that you believe that you may have been a victim of fraud. For a period of 21 days after the credit reporting body receives your notification, the credit reporting body must not use or disclose that credit-related information. You can contact any of the following credit reporting bodies for more information, including a copy of their credit reporting policy from their websites at:
 - Equifax – equifax.com.au.

Google Analytics

We do not collect ‘sensitive information’ as described in the Google AdWords sensitive category restrictions or sensitive interest information (which include personal hardships, identity and belief and sexual interests). The Google Analytics Advertising Features that we use include remarketing, Google Display Network Impression Reporting and Google Analytics Demographics and Interest Reporting. These features require the collection of data via advertising cookies and identifiers. For more information about Google Analytics please refer to [Google Analytics](#). You can opt-out of Google Analytics Advertising Features by following the instructions in this link: [Google Analytics Opt-out Browser Add-on](#).

Security and storage of Information

We may use cloud storage to store the personal information we hold about you. The cloud storage and the IT servers may be located in or outside Australia. We will take reasonable steps to protect your personal information by storing it in a secure environment. We may store your personal information in paper and electronic form. We will also take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

Access and correction to your personal and credit-related information

We will provide you with access to the personal information we hold about you, except in certain circumstances set out in the Privacy Act. You may request access to any of the personal information we hold about you at any time by contacting us at finance@agpay.com.au or by using the other contact details at the end of this policy. We may charge a fee for our reasonable costs associated with retrieving and supplying the information to you.

Depending on the type of request that you make we may respond to your request immediately, otherwise we usually respond to you within 7 days of receiving your request. We may need to contact other entities to properly investigate your request.

There may be situations where we are not required to provide you with access to your personal information, for example, if the information relates to existing or anticipated legal proceedings, or if your request is frivolous. An explanation will be provided to you, if we deny you access to the personal information we hold about you.

It is important to us that the personal information we hold about you is accurate and up to date. During the course of our relationship with you we ask that you inform us if any of your personal information has changed. We will generally rely on you to ensure the information we hold about you is accurate or complete. If any of the personal information we hold about you is incorrect, inaccurate or out of date, you may request that we correct the information by contacting us in any of the ways listed at the end of this policy. If appropriate, we will correct the personal information at the time of the request, otherwise, we will provide an initial response to you within 7 days of receiving your request. Where reasonable, and after our investigation, we will provide you with details about whether we have corrected the personal or credit-related information within 30 days. We may need to consult with other finance providers or credit reporting bodies or entities as part of our investigation. If we refuse your request, we will provide you with our reasons for doing so.

Using government identifiers

If we collect government identifiers, such as your tax file number, Medicare number, passport number or driver's licence number, we do not use or disclose this information other than as required or permitted by law. We may use government identifiers to verify your identity when you deal with us.

Dealing with us anonymously

You can choose to deal with us anonymously, however, in most circumstances it will be necessary for us to identify you in order to successfully do our business, such as answering general inquiries about our product or current promotional offers. Depending on the circumstances, we may in some instances be able to do business with you without you providing us with your personal information, however the extent of the information and services we may be able to provide will be limited.

Enquiries and Complaints

If you have a query for us, or if you are dissatisfied with how we have dealt with your personal information and have a complaint, you can contact us using the contact details at the end of this policy. We will acknowledge your complaint within 7 days. We will use our best efforts to provide you with a decision on your complaint within 30 days.

If an issue has not been resolved to your satisfaction, you can make a formal complaint to the Office of the Australian Information Commissioner via their website at <https://www.oaic.gov.au/>, by emailing enquiries@oaic.gov.au or calling 1300 363 992.

If your issue is regarding your credit-related information, 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 and can consider certain privacy complaints relating to credit reporting information. AFCA can be contacted at:

Phone: [1800 931 678](tel:1800931678)

Website: afca.org.au

Email: info@afca.org.au

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

Further information

You may request further information or provide feedback on the way we manage your personal or credit-related information by contacting us.

Changes to our privacy and credit reporting policy

We may change this policy from time to time and without notice to you. Any updated versions of this policy will be posted on our website and will be effective from the date of posting.

This policy was last updated on September 2020.

Contact Details

For privacy related queries, complaints or any other requests, you can contact us using any of the following methods:

Phone: 1300 039 195

Email: finance@agpay.com.au

Mail: Level 14, 1 Collins Street, Melbourne, VIC 3000