

## Australian Capital Home Loans Pty Ltd

ACN 111 924 586  
Australian Credit Licence 386812

## Australian Capital Financial Planning Pty Ltd

ACN 122 486 935  
Australian Credit Licence 380552

5-11 Noel Street, Slacks Creek, QLD, 4127  
Tel: 1300 797 338| Fax: 1300 765 357

# Privacy Policy

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## Purpose and scope

This Privacy Policy is intended to provide a summary of Australian Capital Home Loans Pty Ltd's (**ACHL**) and Australian Capital Financial Planning Pty Ltd's (**ACFP**) current approach to the handling of personal information (including credit – related information). ACHL and ACFP are committed to complying with the *Privacy Act 1988* (Cth) (including the Australian Privacy Principles) and the Credit Reporting Privacy Code (**CR Code**).

ACHL and ACFP will provide a free copy of this policy to anyone who asks for it.

## What is personal information?

**Personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.

The kinds of personal information we collect will depend upon the purposes for which it is collected. When an individual applies for a product or service we will collect the information we consider is or may be necessary to enable us to assess the application, to provide the product or service, and to administer the product or service after it has been provided.

Examples of personal information collected by ACHL and ACFP include name, date of birth, current and previous residential addresses, telephone number, email address, employer, place of work, occupation, business experience, income, assets, liabilities, credit history and other financial and credit-related information. We may also collect your driver's licence number or other identification information provided in connection with an application (including 100 point check or identification reference) for ACHL and ACFP to establish your identity and the identity of signatories to accounts.

We may collect credit reporting information about individual loan applicants or guarantors. We always obtain written consent before doing this. The types of credit reporting information that may be provided to ACHL or ACFP by credit reporting bodies include:

- a) Information derived by a credit reporting body from credit information about the individual that is held by the credit reporting body;
- b) Has any bearing on the individual's creditworthiness, and
- c) Is used, has been used or could be used in establishing the individual's eligibility for consumer credit

Personal information can include **sensitive information**. Sensitive information is defined in the Privacy Act as information or an opinion about a person's race, ethnic origin, political opinions, membership of political associations and trade associations, religious or philosophical beliefs, sexual orientation or practices, or criminal record, health information, genetic information about an individual that is not otherwise health information, biometric information that is used for the purpose of automated biometric verification or biometric identification and biometric templates.

ACHL and ACFP may collect health information, information about membership of political associations and trade association and criminal records, where required for our business purposes. Where health details or other sensitive information are required in order for us to provide a product or service, it will not be used for any other purpose than that for which it was collected.

ACHL and ACFP do not ever request tax file numbers, however in certain circumstances individuals may wish to voluntarily provide ACHL and ACFP with their tax file numbers for income tax purposes. In these situations ACHL and ACFP will provide the individual's tax file number to the relevant credit provider in accordance with the individual's express consent. We do not otherwise record or disclose tax file numbers. If tax file numbers are inadvertently provided with loan application documentation, they are redacted from the relevant documents by our staff.

### **How do ACHL and ACFP collect and hold personal information?**

ACHL and ACFP collect personal information (including credit – related information) about an individual who is seeking credit or who has offered to be a guarantor, from:

- Individuals directly e.g. face to face, telephone, internet or through completion of account and loan application forms and other forms, including at the time a product or service is requested and during the course of our relationship with you;
- Referees, real estate agents and guarantors nominated by customers;
- Finance brokers and mortgage insurers;
- Other credit providers;
- Publicly accessible databases such as Australian Securities and Investment Commission database and the National Personal Insolvency Index database;
- Credit reporting bodies such as Veda Advantage Information Services and Solutions Limited (**Veda**), Dun & Bradstreet (Australia) Pty Ltd (**DNB**) and Experian Australia Pty Ltd (**Experian**), provided we have first obtained your written consent; and
- Other third party service providers.

If an individual is seeking credit we may contact the individual's employer to confirm that the employer employs the individual.

If you visit the ACHL and ACFP website, our internet service provider can record certain information about your visit, including:

- internet address;
- domain name;
- internet service provider;
- the date and time of the visit to the website;
- any information or documentation downloaded;
- the length of the session;
- the pages accessed;
- the website that referred to our website;

- the type and version of the browser;
- the operating system used;
- any data saved by you on our website in an online calculator.

This information is only used for statistical and website development purposes, and does not personally identify you.

ACHL and ACFP may also collect names, email addresses and contact telephone numbers from enquiries sent through our website. These contact details will not be added to any mailing lists or used for any purposes other than the purposes for which the details were provided, without your consent. Any emails sent to us and our responses will be saved if we consider it necessary to do so.

When you visit the secured pages of our website, cookies (small text files placed on your internet browser which we may access when you visit our website) are used for security and personalisation purposes. We also use cookies to obtain information in relation to how our website is being used when you visit the unsecured pages of our website. It is possible to reject cookies by changing the settings on your browser, however this may result in you being unable to access the secured pages of our website.

In order to protect your personal information, any data transmitted via the internet containing your personal information is encrypted. Other security measures are also implemented. However, we cannot guarantee that any personal information which you transmit via the internet is completely secure.

This Privacy Policy does not apply to any third party websites which may be linked to our website.

### **Disclosure of personal information**

Personal information may be disclosed to our agents, contractors or third party service providers who provide administrative, telecommunications, legal or other services to us in connection with our business. We may also disclose limited aspects of personal information to our professional advisers such as our lawyers, accountants or auditors where this is necessary for them to properly advise us in relation to our business functions or operations.

Other entities we may disclose personal information to in the course of our business include:

- Our related entities, including any related companies;
- Credit reporting bodies such as Veda, DNB and Experian (subject to prior consent);
- Loan introducers, dealers and brokers;
- Debt collection agencies;
- Regulatory bodies such as ASIC and APRA;
- Government agencies, law enforcement bodies and Courts;
- Other credit providers including any of –

**Adelaide Bank Limited a division of Bendigo & Adelaide bank** ABN 11 068 049 178 ACL 237879  
169 Pirie Street, Adelaide SA 5000  
Phone: 1300 65 22 20

**RESIMAC Limited**  
ACN 002 997 935

Level 9, 45 Clarence Street,  
Sydney NSW 2000  
Phone: 02 9248 0300

**ING Bank (Australia) Limited**

ABN 24 000 893 292  
140 Sussex Street, Sydney NSW 2000  
Phone: 133 464

**Perpetual Trustee Company Limited**

ABN 42 000 001 007  
Level 12, Angel Place, 123 Pitt Street,  
Sydney NSW 2000  
Phone: 02 9229 9000

**Permanent Custodians Limited**

ACN 001 426 384  
35 Clarence Street, Sydney NSW 2001  
Phone: 1800 622 812

- Mortgage management service providers;
- Referees, employers and landlords nominated by customers;
- Guarantors nominated by customers;
- Valuers and surveyors;
- Authorised agents, executors, administrators or legal representatives nominated by customers;
- External organisations that are our assignees, partners, agents or contractors;
- External service providers to us, such as organisations which we use to verify your identity, payment systems operators, mailing houses and research consultants;
- Insurers, where insurance is provided in connection with our services to you including any of:

QBE Lenders' Mortgage Insurance Limited (ABN 70 000 511 071)

82 Pitt Street, Sydney NSW 2000

Phone: 1300 367 764

Contact: Privacy Officer

Email: [compliance.manager@qbe.com](mailto:compliance.manager@qbe.com)

Website: [www.qbelmi.com](http://www.qbelmi.com)

Genworth Financial Mortgage Insurance Pty Limited (ABN 60 106 974 305)

Level 26, 101 Miller Street, North Sydney NSW 2060

Phone: 1300 655 422

Website: [www.genworth.com.au](http://www.genworth.com.au)

- If you apply for an Equity Finance Mortgage (EFM) we may disclose your personal information to the EFM provider (being both Permanent Custodians Limited (ACN 001 426 384) and Rismark International Funders Management Limited (ACN 114 530 139) as the manager of EFM);
- Any person to the extent necessary, in our view, to carry out any instruction you give to us;

- State and Territory authorities that give assistance to facilitate the provision of home loans to individuals;
- Certain entities that have bought or otherwise obtained an interest in your credit product, or that are considering doing so, and their professional advisers.

### **Why do ACHL and ACFP need personal information?**

We only collect personal information if it is reasonably necessary for our business.

The purposes for which ACHL and ACFP collects, holds, uses and discloses personal information include opening of accounts (including identity verification requirements), assessing and actioning credit applications and proposals to guarantee or provide security, providing or managing our products and services including securitisation of loans, effecting transactions authorised by you, account administration, planning, product research and development, other internal management functions and operations related to the provision or management of banking products by ACHL and ACFP, management of our business, enhancing ACHL and ACFP's relationship with you, seeking credit information from credit reporting bodies such as Veda, DNB and Experian, assessing and managing risk, debt collection, complying with our legal obligations, audit, assessment of employment applications and to provide information required by law for employment purposes. ACHL and ACFP may also send direct marketing material in relation to ACHL and ACFP's products or services, or the products or services of third parties that we consider may be of interest to you.

We never sell or otherwise disclose any personal information to third parties for direct marketing by other organisations.

We never use sensitive information or credit information for direct marketing purposes.

### **Credit- related information**

This section provides more information about how we deal with credit-related information.

Credit reporting information is only sought by ACHL and ACFP with the written consent of the individual borrower or guarantor concerned.

ACHL and ACFP may provide the following types of credit information to credit reporting bodies with a request for credit reporting information:

- Name;
- Date of birth and sex;
- Driver's licence or other identification information;
- Current and previous addresses;
- Current and last employer;
- The fact that the individual has applied for credit (including the type of credit and the amount of credit).

ACHL and ACFP may use and disclose credit information and credit eligibility information, as well as other information provided by borrowers and guarantors, as follows:

- to verify identity;
- to assess an application for credit;
- for credit guarantee purposes;

- for securitisation purposes;
- for the purpose of assisting an individual to avoid defaulting with respect to any credit;
- to disclose to debt collectors for the purpose of collecting overdue payments;
- to provide information to an Australian mortgage insurer for a mortgage insurance purpose;
- to seek from and use or give to another Australian credit provider any information about an individual's account, credit worthiness, credit standing, credit history or credit capacity;
- to seek from and use or give to any mortgage originator, broker, financial consultant, agent, accountant, lawyer, or other adviser acting in connection with any financing provided or proposed to be provided;
- to provide information to any person who proposes to guarantee or has guaranteed repayment of any credit provided to an individual, or who has provided property as security for any credit provided to an individual;
- to establish, provide, manage or administer any credit facility and to perform any other internal administrative and management functions and operations directly related to the provision or management of credit;
- to disclose serious credit infringements, provided ACHL and ACFP believes on reasonable grounds that a serious credit infringement has occurred;
- for external dispute resolution purposes;
- for mortgage credit assistance scheme purposes;
- as required or permitted by law or a court/tribunal;
- to people considering acquiring an interest in our business or assets.

The kinds of information ACHL and ACFP may derive from credit reporting information obtained from a credit reporting body includes an opinion about your eligibility for credit.

Credit eligibility information will be held and used in accordance with Part IIIA of the *Privacy Act 1988* (Cth), this Privacy Policy, and the terms of the consent provided by the relevant individuals.

ACHL and ACFP are not likely to disclose any credit information or credit eligibility information to entities that do not have an Australian link.

### **Government related identifiers**

ACHL and ACFP does not use any government related identifiers, such as driver's licence numbers, as its own internal identifier of any individual. ACHL and ACFP will not use or disclose any government related identifiers other than in accordance with the *Privacy Act 1988* (Cth).

### **Data integrity and security**

ACHL and ACFP endeavours to ensure that all personal information it holds is accurate, complete and up-to-date. To assist us with this, individuals should contact us if any of their personal information changes, or if they believe that the personal information we have is not accurate or complete.

ACHL and ACFP takes reasonable steps to protect the personal information that it holds from misuse, interference or loss, or from unauthorised access, modification or disclosure. You should keep all of

your passwords and personal identification numbers safe, in accordance with our suggestions.

If ACHL and ACFP no longer requires personal information that it holds (including when we are no longer required by law to keep records relating to you), it will take such steps as are reasonable in the circumstances to destroy the information or ensure that the information is de-identified.

### **Disclosure overseas**

We are unlikely to disclose your personal information to overseas recipients, however if we do so, it will be in accordance with the *Privacy Act 1988* (Cth).

### **Access and correction**

Individuals can ask ACHL and ACFP for access to their personal information held by ACHL and ACFP (including credit related information) by sending a written request to our Privacy Officer at PO Box 1275, Slacks Creek Qld 4127.

ACHL and ACFP do not impose a charge for making a request for access, however we may charge for reasonable administrative costs incurred in providing access.

You can ask ACHL and ACFP to correct or update your personal information. ACHL and ACFP do not impose any charge with respect to requests for correction or updates.

Before correcting or providing access to personal information in response to a request, ACHL and ACFP will require your identity to be confirmed.

Requests for access or correction may be refused upon the grounds contained in the *Privacy Act 1988* (Cth). If we refuse to provide access, or to correct personal information, ACHL and ACFP will provide you with reasons for the refusal.

ACHL and ACFP will respond to requests for access as soon as reasonably practicable, taking into account the age, nature and the amount of information requested.

Individuals have the right to request a copy of the credit information that a credit reporting body holds about them and to have the credit information corrected if it is inaccurate. To contact Veda, DNB or Experian, see:

Veda – [www.veda.com.au](http://www.veda.com.au)

DNB – [www.dnb.com.au](http://www.dnb.com.au)

Experian – [www.experian.com.au](http://www.experian.com.au).

### **Complaints**

Privacy related complaints (including complaints about breaches of the *Privacy Act 1988* (Cth) or the CR Code) should be directed to our Privacy Officer in writing at P.O. Box 1275, Slacks Creek. Qld 4127 or by email [info@achl.com.au](mailto:info@achl.com.au). No charge will be imposed for the making of a complaint, or for dealing with the complaint.

We will provide a written notice within 7 days that acknowledges the complaint and sets out how the complaint will be dealt with. We will also investigate the complaint. This may involve consultation with credit providers or credit reporting bodies. We will, within 30 days after the date that a complaint is made, set out in writing our decision following the investigation and details of the right to refer to the complaint our external dispute resolution scheme, namely:

**Credit Ombudsman Service Limited**

PO Box A252  
SYDNEY SOUTH NSW 1235  
Telephone: 1800 363 992  
Website: [www.cosl.com.au](http://www.cosl.com.au)

You may also contact the **Office of the Australian Information Commissioner** at:

**Office of the Australian Information Commissioner**

GPO Box 5218  
SYDNEY NSW 2001  
Telephone: 1300 363 992  
Website: [www.oaic.gov.au](http://www.oaic.gov.au)

These bodies may forward your complaint to another external dispute resolution body if it considers the complaint would have been better handled by that body.

**ACHL and ACFP Privacy Officer**

Our Privacy Officer's contact details are:

5-11 Noel Street, Slacks Creek QLD 4127  
Telephone: 1300 797 338  
Email: [info@achl.com.au](mailto:info@achl.com.au)

**Changes to this policy**

This Privacy Policy may be varied from time to time. It does not create any legally enforceable rights or obligations beyond the rights and obligations created by the *Privacy Act 1988 (Cth)* and the CR Code.