

Credit Information Management Policy

External

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1. About this policy

We respect your privacy. We are committed to protecting the personal information we collect from you in accordance with Australian law.

This policy explains how we handle your credit information when we collect it from you. Our management of this information is governed by the *Privacy Act 1988 (Cth)* ('Privacy Act'), the *Privacy Regulation 2013* ('Regulations') and the *Credit Reporting Privacy Code* ('CR Code').

2. Collection

2.1 Kinds of information collected

- a. Under the Privacy Act, if you engage our services you are viewed as applying for credit from us, in the form of us providing services and/or products to you and allowing you more than 7 days to pay the debt for such services and/or products.
- b. If you apply for credit from us or our related companies we may collect and use all types of:
 - i. CP derived information;
 - ii. CRB derived information;
 - iii. Credit eligibility information;
 - iv. Credit information; and
 - v. Credit reporting information;
 - vi. collectively referred to as "credit related personal information".
- c. For example, credit information is personal information that has a bearing on credit that you have applied for or obtained from us. It also extends to information about you as a guarantor of any credit provided by us.
- d. This information may include:
 - i. Identification information;

- ii. The fact that you have applied for an account, products and/or services from us;
 - iii. The fact that we are a credit provider to you;
 - iv. Any hardship application you have made; and
 - v. Payment defaults.
- e. In certain circumstances permitted by the Privacy Act, we may disclose this information to a Credit Reporting Body (CRB) (such as Veda Advantage or Dun and Bradstreet).

2.2 Method of collection

- a. We will normally collect your credit information directly from you. This may be in our meetings with you, over the telephone, through our inquiry/application forms and processes, both online and in hardcopy, or via our email communications with you.
- b. If you apply for credit or give a guarantee for credit from us, we may request identification information. This could include your name, contact details and date of birth.
- c. On occasion we may internally collect credit information about you, without your direct involvement, about your previous experiences with us, particularly how you have managed your obligations.
- d. We may also collect credit related personal information about you from third parties, without directly involving you, in circumstances permitted by the Privacy Act. For example, we may seek credit related personal information about you from:
 - i. Our associated entities;
 - ii. Publicly available sources of information, such as public registers;
 - iii. Your representatives, including your legal adviser, mortgage broker, financial adviser, executor, administrator, guardian, trustee, attorney, or your employer;

- iv. Other organisations, which provide products or services to you in conjunction with us;
- v. Other credit providers; and
- vi. CRBs.

3. Purposes of collection, use and disclosure

- 3.1 We primarily collect, use and disclose your credit related personal information in order to provide you with our services. This includes:
- a) Internally assessing whether you are eligible for our services by reference to your previous experiences with us, particularly how you managed your obligations;
 - b) Providing our services, for example, entering into an agreement with you for our services;
 - c) Ongoing management of our services, for example, rendering of accounts;
 - d) Checking whether you are eligible for our services; and
 - e) Assessing whether a debtor will be eligible for credit where you offer to be a guarantor.
- 3.2 We may also use your credit related personal information where required or authorised by law.

4. Disclosure

- 4.1 In some circumstances, third parties assist us to provide credit to you and may have access to your credit related personal information for this purpose. To protect your credit related personal information, our contracts with these third parties require them to comply with the credit related personal information provisions of the Privacy Act and only permit them to use the credit related personal information we disclose to them for the

specific function we engage them to perform. These third parties may include:

- a) Our associated entities;
- b) CRBs;
- c) Our agents, contractors and external service providers, for example, our technology providers;
- d) Representatives who sell products and services on our behalf;
- e) Payment systems operators, such as merchants receiving credit card payments;
- f) Organisations that provide products or services to you in conjunction with us;
- g) Our financial advisers, legal advisers or auditors;
- h) Where permitted by law, debt collection agencies; and
- i) Other credit providers. For example, where you have given mortgage security over the same property to us and another credit provider.

4.2 We may also disclose your credit related personal information to bodies that assist with the administration of the credit reporting regime under the Privacy Act.

4.3 Generally, we may make disclosures to third parties where:

- a) You have either expressly or impliedly consented to the disclosure; or
- b) The disclosure is required or authorised by law.

4.4 The credit reporting bodies we may deal with are:

- a) Veda Advantage; and
- b) Dun and Bradstreet.

- 4.5 Information about how you can access the above CRBs' credit reporting policy is available at their websites.

5. Overseas disclosure

- 5.1 We may disclose credit related personal information to entities without an "Australian link", as that term is defined in the Privacy Act.
- 5.2 The countries in which these entities are likely to be located are described in Item 4 of the Schedule.

6. Storage method

- 6.1 The credit related personal information we hold about you may be stored as follows:
- a) Electronically on servers located in Australia and overseas as described in Item 4 of the Schedule.
 - b) On computers located at our premises; and
 - c) In hardcopy files located at our premises or at our document custodian.
- 6.2 Your credit related personal information is protected by various physical and electronic security measures, such as locks and passwords.
- 6.3 We have a designated Credit Information Officer to supervise and train our employees to maintain the security of your information.

7. Access and correction

7.1 Requests

- a) You can access the credit related personal information we hold about you by making a written request.

- b) You can also request us to correct your credit related personal information.
- c) Please contact us using the details set out in Item 1 of the Schedule if you wish to make a request to access or correct your information.

7.2 Timeframes

- a) We will respond to requests for access to credit related personal information within a reasonable period of time.
- b) In regard to correction requests, if we are satisfied that your credit related personal information is inaccurate, out of date, incomplete, irrelevant or misleading, we will take reasonable steps to update your credit related personal information within 30 days (or such longer period you agree to in writing). We will provide written notice of corrections.
- c) If we consider that we will not be able to resolve your correction request within 30 days, we will write to you to obtain an extension of time. We will also notify you that you can complain to a recognised external dispute resolution scheme or the Privacy Commissioner about our delay.

7.3 Fees

There are no fees associated with making a request to access or correct your information. We may, however, charge a reasonable fee for processing the request, to account for locating the information and supplying it to you.

7.4 Refusals

- a) The Privacy Act specifies certain circumstances in which we are not required to provide access to your information. In addition, if we are not satisfied that your information requires correction we may refuse to comply with your request.

- b) If we refuse to give you access to your credit related personal information or to correct your credit related personal information, we will give you a notice explaining our reasons, except where it would be unreasonable to do so.
- c) If we refuse your request to correct your credit related personal information, you also have the right to request that a statement be associated with your credit related personal information noting that you disagree with its accuracy.
- d) We will also advise you how you can complain about our refusal to provide access or to make a correction to your credit related personal information.

8. Complaints

- 8.1 If you wish to make a complaint, please contact us on the details provided in Item 1 of the Schedule.
- 8.2 We will acknowledge your complaint in writing, within 7 days of receipt. At this time we will advise you if we require any further information.
- 8.3 We will then conduct an investigation into your complaint. We may consult with relevant third parties to resolve your complaint. We will provide you with our decision within 30 days from the date of your complaint (unless you consent to a longer time frame in writing).
- 8.4 If you are unhappy with the outcome you may complain to the Office of the Australian Information Commissioner about the way we handled your credit information:

The Commissioner:

GPO Box 5218

Sydney NSW 2001

Phone: 1300 363 992

Email: enquiries@oaic.gov.au

www.oaic.gov.au.

9. Statement of Notifiable Matters under the Credit Reporting Privacy Code

9.1 The CR Code requires us to notify you of certain matters simultaneously or prior to the time of collecting personal information that is likely to be disclosed to a CRB:

Those matters are:

- a. The CRB (such as Veda or Dun and Bradstreet) may include the credit related personal information we provide to it in reports, which it then provides to other credit providers to assist those other credit providers to assess your credit worthiness;
- b. You can request a copy of this Credit Information Management Policy by contacting us, or obtain it directly from our website;
- c. You can request a copy of the CRB's credit reporting policy:
 - i. From its website; or
 - ii. By writing to it directly.
- d. You have the right to access credit related personal information we hold about you, request that we correct the information and make a complaint. This is discussed in more detail above;
- e. You can request a CRB not to use your credit related personal information for the purposes of pre-screening for direct marketing by credit providers;
- f. You can request a CRB not to use or disclose your credit related personal information if you believe on reasonable grounds that you have been, or are likely to be, the victim of fraud; and
- g. You can ask us to provide you a hard copy of this policy (including this Statement of Notifiable Matters).

10. Changes to our Credit Information Management Policy

We may change the way we handle credit related personal information from time to time for any reason. If we do so, we will update this Credit Information Management Policy. An up-to-date version is available on our website.

11. Contact

You can contact us by using the details listed in Item 1 of the Schedule.

12. Interpretation

12.1 In the construction and interpretation of this Policy (where the circumstances require):-

- a) One gender includes the other gender;
- b) The singular includes the plural and the plural includes the singular;
- c) A person includes a body corporate;
- d) A party includes the party's related bodies corporate, related partnerships, related trusts, directors, the members of its Board of Management, its officers, employees and agents, liquidators, receivers and managers, trustee in bankruptcy, administrators, executors, successors and permitted assigns;
- e) Headings are for convenience only and do not form part of this policy or affect its interpretation; and
- f) Where a word or expression is given a particular meaning, parts of speech and grammatical forms of that word or expression have a corresponding meaning.

12.1 "Business" means any of our businesses including without limitation those detailed in Item 2 of the Schedule.

- 12.3 “CP derived information” has the meaning given to that term under the Privacy Act.
- 12.4 “CRB” means a credit reporting body as such term is defined under the Privacy Act.
- 12.5 “CRB derived information” has the meaning given to that term under the Privacy Act.
- 12.6 “Credit eligibility information” has the meaning given to that term under the Privacy Act.
- 12.7 “Credit Information Officer” means our designated Credit Information Officer or senior management.
- 12.8 “Credit information” has the meaning given to that term under the Privacy Act.
- 12.9 “Credit related personal information” collectively refers to “CRB derived information”, “credit eligibility information”, “credit reporting information”, “CP derived information” and “credit information”.
- 12.10 “Credit reporting information” has the meaning given to that term under the Privacy Act.
- 12.11 “Our”, “we” or “us” means the parties and any related entities of the parties described in Item 1 of the Schedule.
- 12.12 “Products” and “Services” means any of our products and/or services. Including without limitation those detailed in Item 3 of the Schedule.

Schedule

Item 1 – Our details

- a) Entity: MSA National Pty Ltd
- b) Address: Level 4, 6-10 Talavera Rd, Macquarie Park, Sydney NSW 2113
- c) Telephone: 02 8719 4000
- d) Email: msa@msanational.com.au

Item 2 – Businesses

- (a) MSA National – incorporated legal practice

Item 3 – Products and Services

Legal services relating to mortgage and lending documentation, settlements, production, compliance and enforcement.

Item 4 – Location of overseas recipients

- (a) N/A

Item 5 – Commencement date

- (a) 1st July, 2014