



**Express
Settlements**
by Australian Finance Direct

Privacy Policy

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Who are we?

'We', 'us', 'our' and 'AFD' refer to Australian Finance Direct Pty Ltd ACN 098 986 139, Australian Credit Licence 390417 and our related businesses.

Our commitment to protect your privacy

At AFD, we recognise that your privacy is very important to you and we respect and are committed to protecting the privacy of people's personal information that we collect and hold. We understand our legal obligations under the *Privacy Act 1988* (Cth) and comply with the Australian Privacy Principles (**APPs**).

This policy details how AFD manages personal information (and sensitive information), credit information and credit eligibility information about you, whether you are a prospective or current customer, a franchisee, an Authorised Credit Representative (**ACR**) or business contractor.

Any personal information we collect about you will only be used for the purposes we have collected it for or as allowed under the law. 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.

Our commitment in respect of personal information is to abide by the Australian Privacy Principles (APPs) and Part IIIA of the Privacy Act, the Privacy (Credit Reporting) Code 2014 and any other relevant law.

Personal information is information or an opinion about an identified individual, or about an individual who is reasonably identifiable. The personal information we hold about you may also include 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, 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.

We will collect your credit-related information if you are:

- a prospective or current franchisee within our franchise network;
- a prospective or current ACR appointed to assist our business functions and activities under the National Consumer Credit Protection regime;
- a prospective or current business partner;
- a prospective or current customer of AFD Money or a franchisee, and have applied for or obtained our products and services; or
- or propose to become a guarantor for any of the above.

Sensitive information is a sub-set of personal information and includes information or an opinion relating to your racial or ethnic origin, professional or trade association membership, trade union membership, criminal record, health information and may include any information you tell us about any vulnerability you may have. We will only collect sensitive information about you with your consent.

We collect sensitive information about our prospective and current franchisees, ACRs, business contractors and customers only where such information is included in Government-issued identity documents, such as drivers licence, passport or birth certificate etc.

OUR POLICY

What type of personal information do we collect and hold?

The kind of information we collect depends on the transaction you have entered into with us, the products / services you or your organisation have contracted us to provide, and the products / services you or your organisation are interested in.

The kinds of personal information that we commonly collect include: your name, address, phone, fax and mobile numbers, email address, date of birth, drivers licence details, passport details, birth certificate details, proof of age card details, business and company details, bank account details, credit card details, and credit information and credit eligibility information about your credit history and credit worthiness. If you are a customer, we may also commonly collect and hold details relating to your vehicle and vehicle registration, for the purpose of taking security over your loan.

If you are applying for finance or provide a guarantee we may also collect the ages and number of your dependants and cohabitants, the length of time you have resided at your current address, your employment details and proof of earnings and expenses. If you apply for any insurance product through us we may collect information about what is being insured, the beneficiaries and your health information including medical and lifestyle information from you or your health professionals. We will only collect health information from you with your consent.

When you browse our website, contact us electronically, or engage with us on social media, we may also record: geographical tagging, cookies, your IP address, whether you have accessed third party sites, the date and time of visits, the pages that are viewed, information about the device used and other user location information. We may use your personal information to customise and improve your user experience on our website and other social media platforms.

How do we collect and hold personal information?

Wherever reasonably possible, we collect personal information from the person to whom it relates. For example, we collect personal information from you or about you from:

- correspondence that you submit to us, our franchisees and/or our ACRs;
- application forms and contracts that you submit to us, our franchisees and/or our ACRs;
- meetings, telephone calls and/or interviews that you have with us, our franchisees and/or our ACRs;
- questionnaires and feedback surveys; and
- from your activity and inputs on our website, our loyalty and rewards programs and our social media platforms.

However, that is not always possible or appropriate and we do collect and use personal information from publicly available sources and from third parties. Where we collect personal information from third parties we are careful to seek confirmation from those providing us with the information that it was acquired in accordance with the requirements of the *Privacy Act*, that they are entitled to provide it to us and that they are able to authorise us to use it for the purposes for which they are supplying it.

We will collect credit information directly from you e.g. from correspondence that you submit, from application forms and contracts that you submit and from meetings, telephone calls and/or interviews that you have with us, our franchisees and/or our ACRs.

We will also collect credit information about you from specific requests that we make to credit reporting bodies, mortgage and finance brokers, employers and other people such as accountants and lawyers. In some instances, we may receive credit information about you from other credit providers with whom you deal. Credit eligibility information will be disclosed to us by credit reporting bodies in response to our request.

Why do we collect personal information and how do we use it?

We collect, hold, use and disclose personal information from you or about you where it is reasonably necessary for us to carry out our business functions and activities. For example, we collect and disclose personal information about our customers as necessary to provide our range of products and services. We collect and disclose the personal information of prospective and current franchisees, ACRs and other business contractors as necessary to operate and administer our business network.

We also collect, hold, use and disclose your personal information for related purposes that you would reasonably expect, such as our administrative and accounting functions, contacting you, managing our risk and to comply with our legal obligations, establishing your identity, fraud checks, payment processing (eg. through EziDebit), credit history and credit worthiness checks, record keeping, the administration of our loyalty and rewards programs, newsletter communications, feedback surveys and questionnaires, marketing and promotions, and providing you with information about other products / services offered by us. Improvements in technology also enable organisations like ours to collect and use information to get a more integrated view of our customers. From time to time we may offer you other products and services.

If we do not collect, hold, use or disclose your personal information, or if you do not consent, then we may not be able to answer your enquiry, complete the transaction you have entered into, or provide the products / services that you or your organisation have contracted us to provide.

Do we disclose your personal information?

We may disclose your personal information:

- to prospective funders or other intermediaries in relation to your finance requirements;
- to our franchisees - our business operates and is part of a franchise network. If you are a customer, and make an enquiry with us, we will routinely share your personal information with your local or most suitable franchisee in order for them to answer your enquiry or provide you with products and services. AFD are assisted by a team of ACRs who are appointed by us and/or our franchisees under the National Consumer Credit Protection regime. We will routinely share your personal information with any relevant ACRs in order for them to assist us in carrying out our business functions and activities.
- to other organisations that are involved in managing or administering your finance such as third party suppliers, printing and postal services, call centres, lenders, mortgage insurers, trade insurers and credit reporting bodies;
- to associated businesses to include our parent company, Keybridge Capital Limited, and other entities within our corporate group;
- to associated businesses that may want to market products to you;
- to companies that provide information and infrastructure systems to us;
- to our agents, contractors, external service providers to outsource certain functions, for example, statement production, debt recovery and information technology support;
- to anybody who represents you, such as finance brokers, lawyers, mortgage brokers, guardians, persons holding power of attorney and accountants;
- to anyone, where you have provided us consent;
- to other guarantors or borrowers (if more than one);
- to borrowers or prospective borrowers including in relation to any credit you guarantee or propose to guarantee
- to our auditors, insurers, re-insurers and health care providers;
- to claims related providers, such as assessors and investigators who help us with claims;
- where we are authorised to do so by law, such as under the Anti-Money Laundering and Counter Terrorism Financing Act 2006 (Cth), government and law enforcement agencies or regulators;

- to investors, agents or advisers, trustees, rating agencies or any entity that has an interest in your finance or our business;
- to other financial institutions, for example to process a claim for mistaken payment;
- organisations that provide products or services used or marketed by us; or
- to your employer, former employer, referees or identity verification services.

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 at least equal to our commitment, or
- you have consented to us making the disclosure.

Credit-related & Credit eligibility information

If you are a prospective or current franchisee, a prospective or current ACR, prospective or current business partner, we collect, hold, use and disclose credit information and credit eligibility information about you for the purposes of assessing your application to partner with us, and for administering our business network.

If you are a prospective or current customer, we collect, hold, use and disclose credit information and credit eligibility information about you for the purposes of assessing your application for finance, for administering our product and service offerings, and for collecting overdue payments.

If you are a guarantor or proposed guarantor, we collect, hold, use and disclose credit information and credit eligibility information about you for the purpose of assessing your suitability as a guarantor, and (if necessary) for enforcing the guarantee and collecting payments owed to us.

We will collect and disclose credit information about you from and to credit reporting bodies for purposes related to assessing your credit worthiness, and reporting on payment defaults. 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 credit eligibility information to other credit providers and to guarantors, where we have obtained your consent.

Under certain circumstances, AFD may disclose your personal information if it is required by or under an Australian law or a court/tribunal order or we reasonably believe that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of an enforcement body.

Notifiable matters

The law requires us 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 policy) provided to you in an alternative form.

We exchange your credit-related information with credit reporting bodies. We use the credit-related information that we exchange with the credit reporting body to confirm your identity, assess your creditworthiness, assess your application for finance or your capacity to be a guarantor and manage your finance.

The information we can exchange includes your identification details, what type of loans you have, how much you have borrowed, whether or not you have met your loan payment obligations and if you have committed a serious credit infringement (such as fraud).

If you fail to meet your payment obligations in relation to any finance that we have provided or arranged 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 and credit-related information', below.

Sometimes your credit 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.

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 information. You can contact any of the following credit reporting bodies for more information:

- Equifax Pty Ltd – www.equifax.com.au,
- Illion (Australia) Pty Ltd – www.dnb.com.au, or
- Experian Australia Credit Services Pty Ltd – www.experian.com.au.

How do we hold and store personal information?

Your personal information is held and stored on paper, by electronic means or both. We have physical, electronic and procedural safeguards in place for personal information and take reasonable steps to ensure that your personal information is protected from misuse, interference and loss, and from unauthorised access, modification and disclosure:

- Data held and stored on paper is stored in lockable filing cabinets, locked offices, within secure premises with monitored alarms.
- Data held and stored electronically, including "in the Cloud" is protected by internal and external firewalls, limited access to data via file and network passwords, and the ability to designate certain data as 'read only' or 'no access' within files. We also require our IT contractors and other third parties to implement privacy safeguards.
- Data stored or archived off-site is contained within secure facilities. We also require our storage contractors to implement privacy safeguards.
- Where we disclose personal information to third parties (including our franchisees, ACRs and other business contractors), our contractual arrangements with them include specific privacy requirements.
- Our staff, franchisees and ACRs receive regular training on privacy procedures.

Destruction and De-identification

AFD will destroy personal information upon your request (by telephone and/or by e-mail) or when the personal information is no longer required. We will retain your personal information whilst it is required for any of our business functions, or for any other lawful purpose.

We use secure methods to destroy or to permanently de-identify your personal information when it is no longer needed:

- Paper records are commonly shredded or sent for secure destruction.
- Electronic records are deleted from all locations, to the best of our ability, or encrypted and/or placed beyond use.

For further information, contact us by telephoning us on 1300 100 884 or by writing to us at info@expresssettlements.com.au.

Business without identifying you

In most circumstances it will be necessary for us to identify you in order to successfully do business with you, however, where it is lawful and practicable to do so, we will offer you the opportunity of doing business with us without providing us with personal information, for example, if you make general inquiries about interest rates or current promotional offers.

Overseas disclosure

Our business is affiliated with other organisations and people located overseas. In the course of doing business with you, we are likely to disclose some of your personal information and credit-related information to overseas recipients. However, we will only do so where:

- it is necessary to complete the transaction you have entered into; and
- you have provided consent; or
- we believe on reasonable grounds that the overseas recipient is required to deal with your personal information by enforceable laws which are similar to the requirements under the APPs; or
- we have ensured that the overseas recipient will not breach the relevant requirements of the Credit Reporting Regime; or
- it is otherwise permitted by law.

Our overseas affiliates are located in the Philippines. You may obtain more information about these entities by contacting us.

Direct marketing

From time to time we may use your personal information to provide you with current information about finance, offers you may find of interest, changes to our organisation, or new products or services being offered by us or any company with whom we are associated.

Where we use your personal information for marketing and promotional communications, you can opt out at any time by telephoning us on 1300 100 884 or by writing to us at info@expresssettlements.com.au. Opt out procedures are also included in our marketing communications. We will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

Updating your personal information

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 may ask you to inform us if any of your personal information has changed.

If you wish to make any changes to your personal information, you may contact us. We will generally rely on you to ensure the information we hold about you is accurate or complete.

How can you access or correct the personal information we hold?

We will provide you with access to the personal and credit-related information we hold about you. You may request access to any of the personal information we hold about you at any time. We may charge a fee for our costs of 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 seven days of receiving your request. We may need to contact other entities to properly investigate your request.

We have procedures in place for dealing with and responding to requests for access to, and correction of, the personal information held about you.

In most cases, we expect that we will be able to comply with your request. However, if we do not agree to provide you access or to correct the information as requested, we will give you written reasons why.

If any of the personal or credit-related information we hold about you is incorrect, inaccurate or out of date you may request that we correct the information by telephoning us on 1300 100 884 or by writing to us at info@expresssettlements.com.au.

If appropriate we will correct the personal information at the time of the request, otherwise, we will provide an initial response to you within seven 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 to correct personal or credit-related information we will provide you with our reasons for not correcting the information.

For further information, please see our Privacy Access, Correction & Complaints brochure <https://www.expresssettlements.com.au/wp-content/uploads/2019/02/ComplaintsHandlingBrochure.pdf> or contact us <https://www.expresssettlements.com.au/contact/>

How can you complain about our use of personal information?

We have procedures in place for dealing with complaints and concerns about our practices in relation to the Privacy Act, the APPs and the CR Code. We will acknowledge your complaint within seven days and aim to resolve the complaint as quickly as possible (and in accordance with the relevant provisions of the APPs). We will provide you with a decision on your complaint within 30 days.

For further information, please see our Privacy Access, Correction & Complaints brochure <https://www.expresssettlements.com.au/wp-content/uploads/2019/02/ComplaintsHandlingBrochure.pdf> or contact us <https://www.expresssettlements.com.au/contact/>.

If you are not satisfied with the way in which we handle your complaint, you can make a complaint to the Australian Financial Complaints Authority which can be contacted on 1800 931 678 or to the Privacy Commissioner which can be contacted on either www.oaic.gov.au or 1300 363 992.

Further Information

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

Changes in our privacy policy

We are constantly reviewing all of our policies and attempt to keep up to date with market expectations. Technology is constantly changing, as is the law and marketplace practices.

As a consequence we may change this policy from time to time or as the need arises. We will post any changes to this policy on our website.

You may request this policy in an alternative form by telephoning us on 1300 100 884 or by writing to us at info@expresssettlements.com.au.

This privacy policy came into existence on November 2019.