

Privacy Policy (General)

Australian Capital Financial Services Pty Ltd

Who are we?

'We', 'us' and 'our' refer to Australian Capital Financial Services Pty Ltd ACN 099 366 211, Australian Credit Licence 389471 and our related businesses.

Concerning the collection, holding, use and disclosure of personal information

We provide this policy in accordance with the Privacy Amendment (Enhancing Privacy Protection) Act 2012, hereafter referred to as the Privacy Act, detailing the lawful approach we take in the collection of information in our role as credit providers and in regard to the management and use of all information collected from our potential customers and actual customers, and all subsequent dealings with customer/consumer representatives, credit reporting bodies, and other entities listed in this policy.

Also see our Credit Information (Privacy) Management Policy for further information.

Introduction

In the course of our business, we provide consumer credit, as defined in Section 6(1) of the Privacy Act. This credit being provided wholly or primarily for personal, family, or household purposes and, as a matter of business policy – no other use.

Our commitment to protect your privacy

We understand how important it is to protect your personal information. This document sets out our privacy policy commitment in respect of personal information we hold about you and what we do with that information.

We recognise that any personal information we collect about you will only be used for the purposes we have collected it 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 for the protection of personal information, as set out in the Privacy Act and any other relevant law.

Personal information

When we refer to **personal information** we mean information from which your identity is reasonably apparent. This information may include information or an opinion about you. The personal information we hold about you may also include credit information.

Credit information is information which is used to assess your eligibility to be provided with finance and may include any finance that you have outstanding, your repayment history in respect of those loans, and any defaults. Usually, credit information is exchanged between credit and finance providers and credit reporting bodies.

In accordance with Section 6 of the Privacy Act, the kinds of personal information we may collect about you include your name, date of birth, gender, address, account details, occupation, and any other information we made need to identify you.

If you are applying for finance we may also collect the ages and number of your dependants and cohabitants, identification (such as Passport, Drivers License, Medicare Card, Bank Card), the length of time at your current address, your employment details and proof of earnings and expenses, consumer credit information, overdue and payment information concerning your current and previous loans, payment information about you, including information concerning late payments, information about new arrangements you may have made involving an existing credit contract, court proceedings (civil) information about you, personal insolvency information about you, unsolicited information that we may deem relevant to keep on file.

Also see our Credit Information (Privacy) Management Policy for further information.

Why we collect your personal information

We collect personal information for the purposes of assessing your application for finance and managing that finance. We may also collect your personal information for the purposes of direct marketing and managing our relationship with you. From time to time we may offer you other products and services.

To enable us to maintain a successful business relationship with you, we may disclose your personal information to other organisations that provide products or services used or marketed by us. We may also disclose your personal information to any other organisation that may have or is considering having an interest in your finance, or in our business.

How do we collect your personal information?

Where reasonable and practical we will collect your personal information directly from you. We may also collect your personal information from finance brokers and other people such as accountants and lawyers.

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 other organisations that are involved in managing or administering your finance such as third party suppliers, printing and postal services, call centres;
- to debt collection services;
- to credit reporting bodies such as Equifax Inc or Experian;
- to lead generation businesses/credit providers - we may exchange or sell your information (including person information or 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;
- to associated businesses that may want to market products to you;
- to companies that provide information and infrastructure systems to us;
- to anybody who represents you, such as finance brokers, lawyers and accountants;
- to anyone, where you have provided us consent;
- where we are required to do so by law, such as under the *Anti-Money or Laundering and Courter Terrorism Financing Act 2006* (Cth);
- to investors, agents or advisers, or any entity that has an interest in our business; or
- to your 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:

- (a) the person or organisation has a commitment to protecting your personal information at least equal to our commitment, or
- (b) you have consented to us making the disclosure.

We may use cloud storage to store the personal information we hold about you. The cloud storage and the IT servers may be located outside Australia.

We may disclose your personal information to overseas entities that provide support functions to us. 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.

If you do not wish to receive marketing information, you may at any time decline to receive such information by telephoning us on 03 9731 7088 or by writing to us at Unit 2/4 Gerves Drive, Werribee VIC 3030. 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 all reasonable steps to meet your request at the earliest possible opportunity.

Bank Feeds Terms

What is Bank Feeds?

Cash Stop thank you for selecting bank feeds to help us assess your application. Bank account transaction records (bank statements) retrieval and viewing bank feeds are enabled by our external service provider illion Open Data Solutions Pty Ltd (referred to as a Bank Feeds Provider). As we are required by law to consider and review your bank statement/s this document outlines your rights and obligations in using the automated Bank Feeds service so that Cash Stop can provide credit services to you. By entering your internet banking login details, you agree to these terms.

How does the service work?

Through the Bank Feed Provider's secure platform, illion Open Data Solutions Pty Ltd, as our agent, will provide us access to your transaction history from the account(s) linked to the internet banking login information that you have supplied illion Open Data Solutions Pty Ltd during your loan application.

We are authorised to have **read-only** access to your account balances, transaction details and account names so that we can assess and manage your loan application now and in the future and help us perform research and statistical analysis in accordance with our **Privacy Policy**.

After you have logged into your internet banking service, the Bank Feed Provider will collect at least the last three months' (or such longer period, as Cash Stop directs) from the date that you apply for a loan, of your bank transaction history from the accounts(s) under that login and provide them to Cash Stop. Accordingly, Cash Stop does not have access to, now are we able to store your login details. The Bank Feed Provider may continue to collect your transaction history for a reasonable time after your application.

E-Payments Code

Using your bank account electronically by internet banking is typically covered by the ePayments Code. If your bank subscribes to the ePayments Code, you have rights and obligations in respect of sharing your internet login details, as such, by using the Bank Feed Provider's service, there is a risk that your rights under the ePayments Code may be affected. Your bank may not necessarily endorse or sponsor the Bank Feed Provider, and/or you may be liable for any unauthorised access or fraudulent activity on your account, so you should check with your bank if you have any concerns about this.

By entering your login details, you are agreeing:

- for Cash Stop and the Bank Feed Provider to access and retrieve information from your bank account(s) as your agent;
- that the information you provide is true, accurate and complete information about yourself and your bank accounts;
- that you will not misrepresent your identity or your account information;
- that your use of the Bank Feed Provider services does not involve you breaching any of your obligations in relation to your bank account(s); and
- to the terms and conditions of the Bank Feed Provider's service and privacy policy; and
- your use of the Bank Feed Provider's services is at your risk, and other than your rights under the law, we or the Bank Feed Provider will not be responsible for any loss suffered by you as a result of you providing your login details to access your bank statements on our behalf.

If you have any questions about security and Bank Feeds, visit <https://proviso.com.au/terms/> or <https://proviso.com.au/privacy/> to obtain further information directly from the Bank Feed Provider. If you are unable to use the Bank Feed Provider's services, please contact the call centre on 1300 721 001. Please note that by using other bank statement methods we may not be able to accommodate your application and/or it will take significantly longer to process your loan application.

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.

Also see our Credit Information (Privacy) Management Policy for further information.

Access and correction to your personal information

We will provide you with access to the personal 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.

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 vexatious.

An explanation will be provided to you if we deny you access to the personal information we hold about you.

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. 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 information within 30 days.

We may need to consult with other entities as part of our investigation.

If we refuse to correct personal information we will provide you with our reasons for not correcting the information.

Also see our Credit Information (Privacy) Management Policy for further information.

Using government identifiers

If we collect government identifiers (such as your Tax File number, Medicare, Centrelink customer reference number, Passport number, Drivers license number), we do not use or disclose this information other than required by law. We will never use a government identifier in order to identify you.

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.

Sensitive information

We will only collect sensitive information about you with your consent. Sensitive information is personal information that includes information relating to your racial or ethnic origin, political persuasion, memberships in trade or professional associations or trade unions, sexual preferences, criminal record, or health.

How safe and secure is your personal information that we hold?

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.

Also see our Credit Information (Privacy) Management Policy, Direct Debit Update and Bank Feeds Terms for further information.

Complaints

If you are dissatisfied with how we have dealt with your personal information, or you have a complaint about our compliance with the Privacy Act, you may contact our complaints officer on 1300 139 010.

We will acknowledge your complaint within seven days. We will provide you with a decision on your complaint within 30 days.

If you are dissatisfied with the response of our complaints officer you may make a complaint 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 information by contacting us.

Also see our Credit Information (Privacy) Management Policy, Direct Debit Update and Bank Feeds Terms for further information and the below links:

Credit Reports - <https://www.moneySMART.gov.au/borrowing-and-credit/borrowing-basics/credit-reports>

Credit Scores – <https://www.moneySMART.gov.au/borrowing-and-credit/borrowing-basics/credit-scores>

Loan Rejection - <https://www.moneySMART.gov.au/borrowing-and-credit/borrowing-basics/loan-rejection>

Change 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 market place practices.

As a consequence we may change this privacy policy from time to time or as the need arises.

You may request this privacy policy in an alternative form.

This Privacy Policy was updated 11th May 2020.