

# PRIVACY ACT CONSENT



## Purposes of collecting information

Aussie Finance Pty Ltd ACN 115 027 140 Credit representative number 496991, Automotive Financial Services Pty Limited ACN 003 622 375 Australian credit licence 383762 and their related bodies corporate ("Aussie Finance") collect from me (being the Applicant or Guarantor whose signature appears below) and from other persons and public sources described below, personal information about me, for the purposes of:

- assessing the application for finance and the guarantee and any related insurance proposal;
- arranging and managing the finance insurance and other services stated in this Privacy Act Consent that are provided and in relation to any guarantee that is given;
- conducting audits, credit analysis, research, risk management and portfolio analysis;
- developing new products and services;

and if the application is accepted:

- providing finance to the Applicant(s); and
- the ongoing management of the finance, guarantees and any ancillary services.

I acknowledge that:

- if I do not provide this information or consent to its collection, use and disclosure, Aussie may not be able to process the application for finance;
- if I provide this information to AFS, the Credit Reporting Information held by a Credit Reporting Body will be updated using this information and may be disclosed or exchanged with other credit providers and other parties; and
- Aussie is required to collect certain personal information about me under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth).

If I supply Aussie with personal information about any third party (such as a referee), I undertake to inform that third party of this and the purpose for disclosure.

## Exchanging personal information with Credit Reporting Bodies

Aussie may disclose my personal information to Credit Reporting Bodies to obtain additional personal information about me.

Where I am applying for consumer credit, I consent to Aussie obtaining from a Credit Reporting Body my Credit Reporting Information or information about my commercial credit worthiness for the purposes of assessing my application or collecting payments that are overdue in relation to consumer credit provided by Aussie. Where I am applying for commercial credit, I consent to Aussie obtaining from a Credit Reporting Body my Credit Reporting Information or information about my commercial credit worthiness for the purposes of assessing my application or collecting payments that are overdue in relation to commercial credit provided by Aussie. Where I am applying to be guarantor, I consent to Aussie obtaining from a Credit Reporting Body my Credit Reporting Information or information about my commercial credit worthiness for the purpose of assessing whether to accept me as guarantor in relation to:

- credit provided by Aussie to a person other than me; or
- an application for finance which has been made to Aussie by a person other than me.

(each a **Credit Applicant**).

Additionally, Aussie is likely to disclose my personal information to an overseas recipient located in New Zealand.

## Exchanging personal information with other credit providers

I consent to Aussie disclosing Credit Eligibility Information about me to another credit provider which has an Australian link for the purposes of:

- notifying a default by me;
- allowing another credit provider to ascertain the status of my finance arrangements with Aussie where I am in default with one or more other credit providers; and
- where I am applying to be guarantor, assessing whether to accept me as guarantor for a Credit Applicant.

I consent to Aussie obtaining and using personal information about me from another credit provider for the purposes of:

- Aussie assessing my application for credit;
- Aussie generally assessing my credit worthiness, credit standing, credit history or credit capacity, the status of the finance and any default by me; and
- where I am applying to be guarantor, Aussie assessing whether to accept me as guarantor for a Credit Applicant.

I agree that the information exchanged can include Credit Eligibility Information about me.

## Exchanging personal information with other parties

I consent to Aussie:

- disclosing my personal information to and collecting personal information about me from:
  - the sources disclosed in my application for finance (such as referees, my past and present employers, my past and present landlords, my next of kin, and any person acting on my behalf such as my car or finance broker);
  - any guarantor or proposed guarantor of the application for finance;for the purposes set out above;
- disclosing my personal information to and collecting personal information about me from referrers, suppliers of goods, insurance product providers and Aussie's agents, contractors and external advisers mercantile agents, collection agencies, funders, trustees and related service providers that assist in the processing of my application and the management of my credit for the purposes set out above;

- disclosing my personal information to government authorities (eg Tax authorities in Australia and overseas) in connection with their lawful information requests or to meet legal obligations in any relevant jurisdiction;
- disclosing my personal information to and collecting personal information about me from public sources for the purposes set out above;
- disclosing Credit Eligibility Information about me where Aussie has provided credit to me or I have applied to Aussie for credit and the disclosure is to a person for the purpose of that person considering whether to offer to act as guarantor in relation to the credit or to offer property as security for the credit and that person has an Australian link;
- disclosing Credit Eligibility Information about me where the disclosure is to a person who is a guarantor in relation to credit provided by Aussie to me or the person has provided property as security for the credit and that person has an Australian link;
- disclosing your personal information (other than Credit Eligibility Information) to an overseas recipient, located in New Zealand. You giving this consent means that we do not need to take such steps to ensure that recipient does not breach the Australian Privacy Principles and if that overseas recipient handles the information in breach of the Australian Privacy Principles, we will not be accountable for that breach and you will not be able to seek redress under the Privacy Act 1988 (Cth). You also acknowledge that even where you do not provide us with your consent to this, we may still disclose personal information about you to the overseas recipient. However, in those circumstances, we will do so in accordance with our obligations under the Privacy Act 1988 (Cth). By signing this form below, you consent to this disclosure of your personal information to overseas recipients; and
- collecting information about me including Health Information or information about my citizenship or country of birth, membership of a professional or trade association, membership of a trade union, criminal record or information about me where I am a politically exposed person under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 and using or disclosing that information as necessary where I have applied for a product that requires that information.
- disclosing my personal information to the issuer of the identification document (the "Official Record Holder") via the use of third-party systems to have my identity information verified.

### **Anti-Money Laundering and Counter-Terrorism Financing**

I acknowledge that in order for Aussie to verify my identity for the purposes of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 in connection with this application:

- Aussie may disclose any or all of the following Personal Information to a Credit Reporting Body:
  - my name, my residential address, my date of birth; and
- Aussie may request a Credit Reporting Body to provide an assessment of whether the Personal Information disclosed matches (in whole or part) Personal Information contained in Credit Reporting Information about me in the possession or control of the Credit Reporting Body (the Assessment); and
- the Credit Reporting Body may prepare and provide to Aussie the Assessment and may use the Personal Information about me and the names, residential addresses and dates of birth contained in Credit Reporting Information of other individuals, for the purpose of preparing the Assessment,

and I/we consent to Aussie making the above request to a Credit Reporting Body and the disclosure of my Personal Information. Notwithstanding the terms of any consent given in this Privacy Act Consent, nothing in this Privacy Act Consent permits Aussie to use or disclose Credit Eligibility Information other than in accordance with the requirements of the Privacy Act 1988.

### **Marketing**

I agree that Aussie may disclose my personal information to its related bodies corporate (together referred to as "the Related Companies") and that Aussie and the Related Companies may use and disclose this personal information for product development and research and to inform me about products and services in the future including for direct marketing by Aussie and Related Companies or by other organisations.

Aussie and the Related Companies will not send me information about products and services if I so request by contacting Aussie through the contact details set out below. If I choose not to opt now, I can always do so later using the same contact details.

### **Privacy Policy**

I understand that I may obtain a copy of Aussie's Privacy Policy (which includes Aussie's Credit Policy) by calling 1300 769 999 or by visiting the Aussie Car Loans website at [www.aussiecarloans.com.au](http://www.aussiecarloans.com.au).

Aussie's privacy policy sets out how it manages personal information, Credit Information and Credit Eligibility Information. It contains information on how I may:

- access personal information or Credit Eligibility Information about me that is held by Aussie and request the correction of personal information, Credit Eligibility Information and Credit Information that Aussie holds about me; and
- make a complaint about a breach of the Australian Privacy Principles, Division 3 of Part IIIA of the Privacy Act or the Credit Reporting Code of Conduct with respect to personal information, Credit Information or Credit Eligibility Information and how Aussie will deal with my complaint.

I understand that each Aussie website, contains a statement (set out in Aussie's Privacy Policy) about credit reporting, including information about the Credit Reporting Bodies to which Aussie may provide my personal information and that they may include my personal information in reports they provide to other credit providers and how:

- I may obtain a copy of the policies about the management of credit related personal information of the Credit Reporting Bodies or Aussie;
- if I fail to meet my payment obligations or commit a serious credit infringement, Aussie may be entitled to disclose this to the Credit Reporting Body; and
- I have a right to request Credit Reporting Bodies not to use my Credit Reporting Information for the purposes of pre-screening of direct marketing and to not to use or disclose such information if I believe on reasonable grounds that I have been, or am likely to be, a victim of fraud.

I can request to have this statement available in an alternative form - such as hard copy.

**Electronic Communications Consent (ECC)**

I/We consent to Aussie giving information to me/us by way of electronic communication. I/We nominate and authorise the Aussie to act on instructions sent electronically by me/us. I/We understand that this consent and authority will apply to all communications permitted to take place electronically by law, including but not limited to:

- a) notices and disclosure documents about my/our credit application such as a Credit Guide or a copy of my assessment;
- b) financial services disclosures such as a Financial Services Guide;
- c) credit contract documents or variations to the credit contract; and
- d) notices from Aussie to me/us.

We understand that Aussie will rely on this consent to communicate with me/us by:

- a) electronic mail ("email") to the email address(es) noted above;
- b) in the case of notices or documents required under the *National Consumer Credit Protection Act 2009 (Cth)* (including the National Credit Code, by making the notice or other document available for a reasonable period on Aussie's information system for retrieval by me and promptly notifying me by electronic communication that the notice or other document is available for retrieval on the system and the nature of the notice or other document;
- c) in the case of notices or documents required under Chapter 7 of the Corporations Act 2001, making a notice available for me/us to access on Aussie's website, subject to also sending me an email with a hyperlink to the disclosure or a written (paper or electronic) notice with a reference to the website address where the disclosure can be found;
- d) any other method of electronic communication permitted by law.

By giving this consent, I/we acknowledge Aussie may no longer send me/us notices or other documents in paper form.

I/We undertake to:

- a) check electronic communications, including my/our emails, regularly for notices and other communication from Aussie;
- b) ensure my/our email address remains current (or as otherwise notified to Aussie); and
- c) ensure emails from Aussie are not blocked.

I/We understand Aussie relies on me/us to keep my/our nominated e-mail or physical (street) address details up-to-date and to notify Aussie when they change.

I/We understand that the provision of electronic documents does not alter my/our obligations under any terms and conditions of any credit contract I have with Aussie and that we should print and save a copy of any notice or other document provided to me/us electronically. I/We confirm that I am/we are responsible for ensuring that I/we maintain the appropriate software and hardware, including printer, to be able to access, view, retrieve, print and save a copy of any documents provided to me/us by electronic communications.

I/We understand that my/our consent to the giving of documents by electronic communication may be withdrawn at any time. I/we can go back to receiving paper notices and other documents, delivered by post to my/our nominated street address, by notifying Aussie in writing withdrawing this ECC.

**Declaration**

I solemnly and sincerely declare that I have read and understood this Privacy Act Consent and agree to Aussie and the Related Companies collecting, using and disclosing personal information about me in accordance with the provisions of this Consent. I/we acknowledge that if I do not wish to give any of the consents set out in this Privacy Consent form, I can indicate this by striking out the relevant consent above and acknowledge that, if I do so, Aussie may not be able to process the application for finance.

_____ Name (Print)	_____ Email Address (Required for legal disclosure purposes)
_____ Signature	____/____/_____ Date
_____ Name (Print)	_____ Email Address (Required for legal disclosure purposes)
_____ Signature	____/____/_____ Date
_____ Name (Print)	_____ Email Address (Required for legal disclosure purposes)
_____ Signature	____/____/_____ Date

# HOW TO CONTACT US



In accordance with the Privacy Act, requests for access to and correction of personal information can be made using the contact details below:

Addressee: The Privacy Officer  
Phone: 1300 769 999  
Fax: 1300 888 788  
Writing: Aussie Finance Pty Ltd  
PO Box 123, Springwood QLD 4127  
Emailing: [privacy@aussiecarloans.com.au](mailto:privacy@aussiecarloans.com.au)

## Definitions

For the purposes of this Consent:

**Credit Reporting Information** about an individual means Credit Information, or CRB Derived Information, about the individual.

**Credit Eligibility Information** about an individual means:

- Credit Reporting Information about the individual that was disclosed to a credit provider by a Credit Reporting Body; or
- CP Derived Information about the individual.

**CP Derived Information** means any personal information about you:

- that is derived from Credit Information or CRB Derived Information about you that was disclosed to a credit provider by a Credit Reporting Body; and
- that has any bearing on your credit worthiness; and
- that is used, has been used or could be used in establishing your eligibility for consumer credit.

**Credit Reporting Body** means an organisation or an agency prescribed under the Privacy Act that carries on a business or undertaking that involves collecting, holding, using or disclosing personal information about individuals for the purposes of, or for purposes including the purpose of, providing an entity with information about the credit worthiness of an individual.

**CRB Derived Information** about an individual means any personal information about an individual:

- that is derived by Credit Reporting Body from Credit Information about an individual that is held by the Credit Reporting Body; and
- that has any bearing on that individual's credit worthiness; and
- that is used, has been used or could be used in establishing that individual's eligibility for consumer credit.

**Credit Information** about an individual is personal information that is:

- identification information about the individual;
- consumer credit liability information about the individual;
- repayment history information about the individual;
- a statement that an information request has been made about an individual by a credit provider, mortgage insurer or trade insurer;
- the type of consumer credit or commercial credit, and the amount of credit, sought in an application:
  - that has been made by the individual to a credit provider; and
  - in connection with which the provider has made an information request in relation to the individual;
- default information about the individual;
- payment information about the individual;
- new arrangement information about the individual;
- court proceedings information about the individual;
- personal insolvency information about the individual;
- publicly available information about the individual:
  - that relates to the individual's activities in Australia or the external Territories and the individual's credit worthiness; and
  - that is not court proceedings information about the individual or information about the individual that is entered or recorded on the National Personal Insolvency Index; or
  - the opinion of a credit provider that the individual has committed, in circumstances specified by the provider, a serious credit infringement in relation to consumer credit provided by the provider to the individual.

**Health Information** means:

- information or an opinion about:
  - the health or a disability (at any time) of an individual; or
  - an individual's expressed wishes about the future provision of health services to him or her; or
  - a health service provided, or to be provided, to an individual;that is also personal information; or
- other personal information collected to provide, or in providing, a health service; or
- other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or
- genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.

**Official Record Holder** means the Australian Federal Government and different state government agencies which issue legal identity documents or hold the Verification Information.

**Personal information** is 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,
- and includes "sensitive information" (as defined in the Privacy Act).