

## **About AUS Finance Group**

AUSFIN Broker Pty Ltd (ABN 35 936 331 406) (trading as AUS Finance Group) is an authorised representative of Astute Financial Management Pty Ltd (ABN 59 093 587 010) Australian Credit Licence number 364253. AUS Finance Group Pty Ltd (ABN 48 168 482 433) operates under an Australian Financial Services Licence (AFSL 470573).

## **About our Privacy Policy**

We respect your personal information, and this Privacy Policy explains how we handle it. The policy covers AUS Finance Group.

This Policy also includes our credit reporting policy, that is, it covers additional information on how we manage your personal information collected in connection with a credit application, or a credit facility. We refer to this credit-related information below as **credit information**.

At AUS Finance Group we are committed to protecting and maintaining the privacy of all individuals with whom we deal. This policy addresses our obligations under the Privacy Act 1988 (Privacy Act) and the Australian Privacy Principles.

If you are in a country that is a member of the European Economic Area (EEA), the EU General Data Protection Regulation 2016/679 ('**GDPR**') governs the way we collect, use, hold, process and disclose your personal information. Under the GDPR, we are a data controller. We make decisions on how and why your personal information is processed.

This policy explains how we manage the personal information, which we collect, hold, use and disclose. It also explains how to contact us if you have any further queries about our management of your personal information. This policy is available on our website, [www.ausfinancegroup.com.au](http://www.ausfinancegroup.com.au) or available free of charge by contracting our Privacy Officer (details below).

## **What is personal information?**

Personal information is information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable. It includes name, address and date of birth.

## **What kind of personal information do we collect and hold?**

We only collect personal information which is reasonably necessary for our functions or activities. The type of personal information which we collect and hold could include:

- Personal information about clients (and individuals authorised to act on behalf of clients) such as name, phone number, address, email address, date of birth, information contained in evidence of identity provided and other contact details such as social media handles;
- Financial details such as your tax file number;
- Personal information about third party service providers such as consultants or lawyers;
- Information captured in employee emails, voicemails and other work products or communications created; and
- Other information we think is necessary.

## **What do we do with government-related identifiers?**

In certain circumstances, we may be required to collect government-related identifiers such as your tax file number. We will not use or disclose this information unless we are authorised by law.

## **When the law authorises or requires us to collect information.**

We may collect information about you because we are required or authorised by law to collect it. There are laws which require us to collect personal information. For example, we require personal information to verify your identity under Australian Anti-Money Laundering law.

#### **How do we collect your personal information?**

Unless it's unreasonable or impracticable, we will try to collect personal information directly from you (referred to as '**solicited information**'). For this reason, it's important that you help us to do this and keep your contact details up-to-date.

There are a number of ways in which we may seek information from you. We might collect your information when you fill out a form with us, when you've given us a call or used our website. We also find using electronic means, such as email or SMS, a convenient way to communicate with you and to verify your details. However, we'll never ask you for your security details in this way – if you are ever unsure, just contact us.

We may collect information indirectly, for example, through your accountant, financial or legal advisor, and referrals.

Sometimes, we will collect information about you from other sources as the Privacy Act 1988 permits. We will do this only if it's reasonably necessary to do so, for example, where:

- We collect information from third parties about the loan or lease made available to you arising out of the services we provide you;
- We can't get hold of you and we rely on public information (for example, from public registers or social media) or made available by third parties to update your contact details; or
- We exchange information with legal or financial advisers or other representatives.

#### **What if you don't want to provide us with your personal information?**

If you don't provide your information to us, it may not be possible:

- For us to give you the credit assistance you seek from us;
- To assist in finding a loan or lease relevant to your circumstances;
- Verify your identity or protect against fraud; or
- To let you know about other products or services that might be suitable for your financial needs.

#### **How do we hold your personal information?**

We hold your personal information in a database and emails and on servers which provide a back-up of our database and emails. Your investment and personal information may also be maintained in an online Investment Centre to which you may access via personalised access code.

#### **For what purpose do we collect, hold and use your personal information?**

We collect, hold and use your Personal Information for the following purposes:

- To provide our products and services;
- To comply with applicable legal requirements under legislation;
- To manage our relationship with you including by contacting you about products or services that we think may be of interest to you; and
- Handling complaints.

#### **How we collect and hold your credit information?**

We will collect your credit information in the course of you answering the enquiries we make of you relating to the credit assistance you seek from us. In addition to what we say above about collecting information from other sources, other main sources for collecting credit information are:

- Your co-loan applicants or co-borrowers;
- Your guarantors/proposed guarantors;
- Your employer, accountant, real estate agent or other referees;

- Your agents and other representatives like the person who referred your business to us, your solicitors, conveyancers and settlement agents;
- Organisations that help us to process credit applications;
- Organisations that check the security you are offering such as valuers;
- Bodies that issue identification documents to help us check your identity; and
- Our service providers involved in helping us to process any application you make for credit through us.

### **What are the main reasons we collect, hold and use your information?**

Collecting your personal information allows us to provide you with the products and services you've asked for. This means we can use your information to:

- Give you credit assistance
- Give you information about loan products or related services including help, guidance and advice;
- Consider whether you are eligible for a loan or lease or any related service you requested including identifying or verifying you or your authority to act on behalf of a customer;
- Assist you to prepare an application for lease or a loan;
- Administer services we provide, for example, to answer requests or deal with complaints; and
- Administer payment we receive, or any payment we make, relating to your loan or lease.

### **What are other ways we use your information?**

We've just told you some of the main reasons why we collect your information, so here's some more insight into the ways we use your personal information including:

- Telling you about other products or services we make available and that may be of interest to you, unless you tell us not to;
- Identifying opportunities to improve our service to you and improving our service to you;
- Allowing us to run our business efficiently and perform general administrative tasks;
- Preventing any fraud or crime or any suspected fraud or crime;
- As required by law, regulation or code binding us; and
- Any purpose to which you have consented.

With your consent, we may disclose your personal information to third parties for the purpose of connecting you with other businesses or customers. You can ask us not to do this at any time. We won't sell your personal information to any organisation.

### **What do we do when we get information we didn't ask for?**

Sometimes, people share information with us we haven't sought out (referred to as '**unsolicited information**'). Where we receive unsolicited personal information about you, we will check whether that information is reasonably necessary for our functions or activities. If it is, we'll handle this information the same way we do with other information we seek from you. If not, we'll ensure we do the right thing and destroy or de-identify it.

### **When will we notify you that we have received your information?**

When we receive personal information from you directly, we'll take reasonable steps to notify you how and why we collected your information, who we may disclose it to and outline how you can access it, seek correction of it or make a complaint.

Sometimes we collect your personal information from third parties. You may not be aware that we have done so. If we collect information that can be used to identify you, we will take reasonable step to notify you of that collection.

### **Who do we disclose your personal information to?**

We may disclose personal information about you to contractors or third-party service providers that carry out activities on our behalf. For example, this could include custodial, mail, marketing or technology services. When disclosing personal information to third party service providers or contractors AUS Finance Group will require third parties or contractors to agree to comply with the relevant laws and regulations concerning the protection of personal information and only use information for the purpose agreed with AUS Finance Group.

We may disclose your information to regulatory bodies or where required for investigation of suspected criminal activity.

If you participate in our investment products via a third party, for example, your accountant, financial advisor, legal advisor or referrer, we will provide the third party with information relating to your investment. This may include personal information including your name and address. Similarly, if you instruct third party, such as your accountant, to seek information from us relating to your investment, this investment information may be accompanied with your personal information.

If you are an existing lending client or apply for a lending product through our broker services business, we may share your information with your representative or any person acting on your behalf, for example, lawyers, settlement agents, accountants or real estate agents. We may also share information with your referees, like your employer, to confirm details about you.

We may also share information with third parties in relation to services we provide to you. Those third parties may include:

- The mortgage aggregator through whom we may submit loan or lease applications to lenders or lessors on the mortgage aggregator's panel;
- The Australian Credit Licence holder that authorises us to engage in credit activities;
- Referrers that referred your business to us;
- Valuers;
- Lenders, lessors, lender's mortgage insurers and other loan or lease intermediaries;
- Organisations, like fraud reporting agencies, that may identify, investigate and/or prevent fraud, suspected fraud, crimes, suspected crimes, or other misconduct;
- Government or regulatory bodies (including ASIC and the Australian Taxation Office) as required or authorised by law. In some instances, these bodies may share the information with relevant foreign authorities;
- Guarantors and prospective guarantors of your loan or lease;
- Service providers, agents, contractors and advisers that assist us to conduct our business for purposes including, without limitation, storing or analysing information;
- Any organisation that wishes to take an interest in our business or assets; and
- Any third party to which you consent to us sharing your information.

### **Are we likely to disclose your personal information to overseas recipients?**

We are not likely to disclose your information to organisations overseas. However, we may store your information in cloud or other types of networked or electronic storage located overseas. AUS Finance Group will take steps to ensure that information held overseas is protected to the same standard as that required under the applicable privacy laws.

Where we transfer your information from the European Economic Area (EEA) to a recipient outside the EEA, we will ensure that an adequate level of protection is in place to protect your personal information.

### **Security of Information**

AUS Finance Group takes steps to protect your personal information from misuse, interference and loss, as well as from unauthorised access, modification or disclosure through the following methods:

- Securing our premises with alarms and security monitoring;
- Ensuring all systems, servers, computers, databases and networks are secured with password protection and encryption;
- Providing staff with training regarding the Privacy Act;
- Requiring staff to only access personal information when necessary to do so in the course of the staff member's employment or engagement with AUS Finance Group; and
- Destruction or permanent de-identification of your personal information if we no longer require that information for any purpose that is permitted by the Privacy Act.

### **What happens when we no longer need your information?**

We'll only keep your information for as long as we require it for our purposes.

We are required to keep some of your information for certain periods of time under law, such as the Corporations Act, the Anti-Money Laundering & Counter-Terrorism Financing Act, and the Financial Transaction Reports Act for example.

We are required to keep your information for 7 years from the closure of accounts, or otherwise as required for our business operations or by applicable laws.

We may need to retain certain personal information after we cease providing you with products or services to enforce our terms, for fraud prevention, to identify, issue or resolve legal claims and/or for proper record keeping.

When we no longer require your information, we'll ensure that your information is destroyed or de-identified.

### **How can I opt-out of receiving marketing material?**

We may use your personal information to contact you (including by phone, text message or email) about products or services which we think may be of interest to you, including our own, our related body corporate's or a third party's products or services.

You may opt-out of receiving marketing information from us and our related body corporates at any time by:

- Calling us on: 1800 287 346 (international +61 3 9643 3838)
- Emailing us at: [info@ausfinancegroup.com.au](mailto:info@ausfinancegroup.com.au)
- 'Ticking the box' on the relevant form when you apply for one of our products or services; or
- Using the unsubscribe function on communications.

Please allow five business days for your request to be actioned by us.

### **What do we collect via your website activity and social media use?**

If you login to our website or use our internet services, we monitor this use to identify ways we can improve our services for you.

We also know that some customers like to engage with us through social media channels. We may collect information about you when you interact with us through these channels. However, for all confidential matters, we'll ensure we interact with you via a secure forum.

To improve our services and products, we sometimes collect de-identified information from web users. That information could include IP addresses or geographical information to ensure your use of our website is secure.

## **How do we use Cookies on our website?**

AUS Finance Group's website may use 'cookies' and other technologies to better understand user behaviour, by telling AUS Finance Group which parts of our website people have visited to:

- Remember personal information when an individual uses the website; and
- To improve the online experience for people to navigate the website and to customise the user experience based on an individual's previous usage of the website.

Individuals can disable their web browser from accepting cookies, however some features of the website may not be available to an individual once cookies are disabled.

## **What are the grounds which we will deal with your personal information under the GDPR?**

Under the GDPR, we must have a legal ground in order to process your personal information. The legal grounds that we may rely on are:

- Performance of our contract with you;
- Compliance with a legal obligation;
- Where you have provided your consent; and
- For our legitimate interests. Our main legitimate interests for processing your personal information are: fraud, security, due diligence, business operations and direct marketing.

## **What if I don't want to give you my personal information?**

You're not required to give us your personal information. However, we may not be able to provide you with the products or services that you request of us.

## **How can you access and seek correction of personal information held by us?**

AUS Finance Group aims to ensure that your personal information that we collect, hold, use and disclose is accurate, complete and up-to-date.

You can access or seek correction of your personal information by contacting our Privacy Officer:

- Phone: 1800 287 346 (international +61 3 9643 3838)
- Email: [info@ausfinancegroup.com.au](mailto:info@ausfinancegroup.com.au)
- Mail: Level 7, 256 Queen St, Melbourne VIC 3000

We will give you access to your personal information, if practicable, and will take reasonable steps to amend any personal Information about you which is inaccurate or out of date.

We may refuse you access to, or we may refuse to correct your personal information in certain circumstances permitted by the Privacy Act. In such a case, we will provide you with written notice of the reasons for our decision.

Some of the situations where we don't have to give you access include when:

- We believe there is a threat to life or public safety;
- There is unreasonable impact on other individuals;
- The request is frivolous;
- The information wouldn't be ordinarily accessible because of legal proceedings;
- It would prejudice negotiations with you;
- It would be unlawful;
- It would jeopardise taking action against serious misconduct by you;
- It would be likely to harm the activities of an enforcement body (e.g. the police); or
- It would harm the confidentiality of our commercial information.

We do not charge a fee to give you access to your personal information. However, we reserve the right to charge a fee depending on the nature and extent of your request.

### **How can you complain about a breach of the Australian Privacy Principles and how will we deal with your complaint?**

If you have any concerns about how we collect or manage your personal information, then you may raise that matter with our Privacy Officer. Our Privacy Officer can be contacted as follows:

- Phone: 1800 287 346 (international +61 3 9643 3838)
- Email: [info@ausfinancegroup.com.au](mailto:info@ausfinancegroup.com.au)
- Mail: Level 7, 256 Queen St, Melbourne VIC 3000

If you do not receive a response within 30 days, or you are unhappy with the response you can complain to the Office of the Australian Information Commissioner ([www.oaic.gov.au](http://www.oaic.gov.au)) who may investigate the complaint further.

For all other complaints (other than an access request or correction request) in relation to your credit information, we will let you know how we will deal with it within seven days.

### **Need more help?**

If you still feel your issue hasn't been resolved to your satisfaction, then you can raise your concern with the Office of the Australian Information Commissioner:

- Online: [www.oaic.gov.au/privacy](http://www.oaic.gov.au/privacy)
- Phone: 1300 363 992
- Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)
- Fax: +61 2 9284 9666
- Mail: GPO Box 5218 Sydney NSW 2001 or GPO Box 2999 Canberra ACT 2601

### **Your rights under GDPR**

If you are located in the EEA, you can contact the relevant data protection authority in the place you reside or where you believe we breached your rights. For example, in the UK, the relevant authority is as follows:

Officer of the UK Information Commissioner

Online: [www.ico.gov.uk](http://www.ico.gov.uk)

Phone: 0303 123 1113

Live chat: <https://ico.org.uk/global/contact-us/live-chat>

If you reside in the EEA, you can also:

- Object to the processing of your personal information or ask us to delete or restrict or stop using your personal information. There may be circumstances where we are required to, or entitled to, retain or continue using your information.
- Withdraw your consent to our processing of your information. We may continue to process your information if we have another legitimate ground to do so.
- Ask us to send an electronic copy of your personal information, including to another organisation.

You can contact us if you wish to exercise these rights. If we refuse any request you make in relation to these rights, we will write to you to explain why and how you can make a complaint about our decision.

### **Interacting with us anonymously or using a pseudonym**

If you have general enquiry type questions, you can choose to do this anonymously or use a pseudonym. We might not always be able to interact with you this way however, as we are often governed by regulations that require us to know who we're dealing with. In general, we won't be able to deal with you anonymously or where you are using a pseudonym when:

- It is impracticable; or
- We are required or authorised by law or a court/tribunal order to deal with you personally.

#### **What if I have further questions?**

If you have any questions about our privacy policy, then you may contact our Privacy Officer whose contact details are listed above. If you have questions about the Privacy Act, then you may contact the Office of the Australian Information Commission.