

## **CREDIT INFORMATION PRIVACY POLICY**

### **Introduction**

Viva Unity P/L ATF Coetzee Group Trading Trust T/A EFT Capital endeavour at all times to comply with the Privacy Act 1988, Australian Privacy Principles and the Credit Information Privacy Code which together will be referred to in this policy as “Australian Privacy Law.”

This Credit Information Privacy Policy is subject and in addition to our **General Privacy Policy**.

- you apply to us for one of our credit products;
- you receive credit from us; or
- we otherwise hold credit information about you or information about your eligibility for credit or credit worthiness.

### **What kinds of credit information do we collect, hold, use and disclose?**

As well as and in addition to the information collected under our General Privacy Policy, if you apply for credit from us we will collect:

- Identification information;
- Financial Information including:
  - Income (from all sources including government benefits) and current employment status and recent history;
  - Assets;
  - Expenses;
  - Debts.
- (Consumer) credit liability information about the (consumer) credit accounts you hold whether with us or some other credit provider including:
  - type of account;
  - when it was opened and, if applicable, closed;
  - if a credit account, then the maximum amount of credit approved;

- other specific terms and conditions of the account.
- Repayment history information of (consumer) credit accounts your now hold or which you have held with us or with some other credit provider including:
  - Whether or not payment was made in any month it was due;
  - Any late payments;
  - When the payment was ultimately paid.
- Information about your credit application including:
  - The type of credit, whether consumer or commercial;
  - The amount of credit sought.
  - Whether we made an information request about you to a credit Information Privacy body.
- Default information about you when you have failed to make a payment owed by you to us (or some other credit provider which remains overdue for more than 60 days and which, after giving you notice as required by the Australian Privacy Laws, we may disclose to a Credit Reporting Body or which has already been disclosed to a Credit Reporting Body by another credit provider).
- Payment information which discloses that you have made an overdue payment (whether) to us (or to another credit provider).
- New payment information about you as to the terms and conditions of any variation in the payments required under your (consumer) credit contract with us (or with another credit provider).
- Court proceedings information about a judgment of any Australian court that was made against you in relation to any credit that was provided to or applied for by you.
- Personal insolvency information which has been recorded in the National Personal Insolvency Index maintained by the Insolvency and Trustee Service of Australia relating to any bankruptcy, debt agreement, debt agreement proposal or a personal insolvency agreement executed by you, and any direction or order made under the Bankruptcy that relates to your property.

- Publicly available information about you that is not otherwise described above but which is relevant to your credit worthiness.
- Serious credit infringement information which relates to (consumer) credit which we or some other credit provider has provided to you to the effect that you:
  - fraudulently obtained (consumer) credit;
  - fraudulently evaded payments under a (consumer) credit contract;
  - are not able to be contacted at the last known addresses supplied to us or have not been in contact with us for 6 months; or
  - are otherwise no longer intending to comply with your (consumer) credit obligations.
- Credit worthiness or credit eligibility information which we derive from the above information to produce tools, such as risk ratings and credit scores, to assist us to assess your application for (consumer) credit from us. Such credit worthiness or credit eligibility information may be based on your Financial Information but will not include it in a recognizable form.

#### **How do we collect credit information?**

We collect credit information in the same ways we collect personal information as described in our General Privacy Policy and, additionally:

- We collect credit information about you from you directly such as in an application form for (consumer) credit; and
- We collect credit information about from credit Information Privacy bodies.

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

We hold and keep secure your credit information in the same ways as all your personal information as described in our General Privacy Policy.

#### **How do we disclose your credit information?**

(In order to obtain credit information about you from Credit Reporting Bodies we may be required to disclose to them credit information about you which we hold. Those Credit Reporting Bodies may then include that credit information about you in reports they provide to other credit providers.)

This includes all the credit information described above with the exception of your Financial Information. It does, however, particularly include:

- Credit worthiness or credit eligibility information;
- Information about your credit application;
- (Repayment information;)
- Default information; and
- Serious Credit Infringement information.

The credit Information Privacy bodies to which we may disclose your credit information are:

DVS – Document verification service (government agency)

Website: [www.dvs.gov.au](http://www.dvs.gov.au)

Or:

Equifax

PO Box 964,  
NORTH SYDNEY NSW 2059

Website: [www.equifax.com.au](http://www.equifax.com.au)

Or:

Dealer Solutions Pty Ltd

PO Box 2445,  
Fortitude Valley, QLD 4006

Website: [www.dealersolutions.com.au](http://www.dealersolutions.com.au)

We refer you to the Privacy Policy of this credit Information Privacy body.

### **The purposes for which we collect, hold, use and disclose your credit information**

In addition to those purposes described in our General Privacy Policy, we collect, hold, use and disclose your credit information to:

- assess your credit application and that of any proposed guarantors of your (consumer) credit;
- manage your credit contract;
- consider any application for variation of your payments whether or not on the grounds of hardship;

- collect any debt or otherwise enforce any rights whether by court proceedings or otherwise arising under your (consumer) credit contract;
- assist you if we consider you may be at risk of default;
- participate in the credit Information Privacy system and provide information to credit Information Privacy bodies as described above;
- deal with any complaint by you through our Internal Dispute Resolution process or through our External Dispute Resolution scheme as described in our General Privacy Policy;
- to identify you as required by the Anti-Money Laundering/Counter-Terrorism Financing Act;
- meet our legal requirements including Information Privacy to relevant authorities;
- assist other credit providers with the same purposes as permitted by Australian Privacy law such as disclosing credit information to them with your consent or where you have committed a serious credit infringement.

We shall not disclose your credit information to any other party for the purposes of direct marketing though we may disclose other personal information for that purpose as described in our General Privacy Policy.

**Whether we supply your personal information to overseas recipients.**

We may/will not supply your credit information to overseas recipients such as those mentioned in our General Privacy Policy as part of our information technology systems for the purposes described above. Those recipients to be in the following countries:

(Names)

We shall not provide credit information and credit worthiness or credit eligibility information to overseas entities except as permitted by Australian Privacy Law.

**How you may access your credit information held by us**

You may access your credit information held by use in the same way and subject to the same restrictions as you may access any of your personal information held by us as described in our General Privacy Policy.

There is no charge to make a request for access to your credit information but we may apply an administration fee for providing access to your credit information.

We cannot give you access to credit information held about you by any credit Information Privacy body whether that body obtained the information from us or not. We refer you to the Privacy Policy of that credit Information Privacy body.

#### **How you may seek correction of the credit information we hold about you**

You may apply to correct the credit information we hold about you in the same way and subject to the same restrictions as you may do so for any of your personal information held by us and as describe in our General Privacy Policy.

We will deal with your request according to Australian Privacy Law and provide you our response and/or reasons within 7 business days or our making our decision and no later than 30 days after receiving your request.

If we have supplied credit information which we have agreed to correct to a credit reporting body, we will notify that body within 7 business days making that decision.

#### **How you may complain about how we deal with your credit information**

If you are not satisfied with how we have dealt with your credit information, please contact our Privacy Officer in the same way as is described in our General Privacy Policy.

Again, if you are not satisfied with our Internal Dispute Resolution Process in relation to credit information, you may refer your complaint to our External Dispute Resolution scheme as described in our General Privacy Policy or to the Office of the Australian Information Commissioner.

#### **Changes to this policy**

We may change this policy for the same reasons and in the same manner and with the same notice as is described in our General Privacy Policy.

## **HARDSHIP PRIVACY POLICY**

### **Introduction**

Viva Unity P/L ATF Coetzee Group Trading Trust T/A EFT Capital endeavour at all times to comply with the Privacy Act 1988, Australian Privacy Principles and the Credit Reporting Privacy Code which together will be referred to in this policy as “Australian Privacy Law.”

This Hardship Privacy Policy applies if you:

- have received credit from us;
- are experiencing difficulty in meeting your repayment obligations under your (consumer) credit contract with us; and
- have applied for or approached us for a variation in those obligations on the grounds of hardship whether as result of receiving a Notice of Default or other notice from us or otherwise.

It is subject and in addition to our General Privacy Policy ([hotlink](#)) and our Credit Information Privacy Policy ([hotlink](#)).

### **Hardship**

“Hardship” as defined in the *National (consumer) Credit Protection Act* (‘NCCP’) includes “illness, unemployment or other reasonable cause.” In the course of you applying for a variation in repayment terms on the grounds of hardship, we may collect from you information about illness, unemployment or other reasonable causes of hardship. This will, most likely, be “sensitive information” under Australian Privacy Law.

### **Sensitive Information**

We will only collect sensitive information that is relevant to your application for a variation in your repayment terms on the grounds of hardship. Such information may include:

- health information about you or another member of your family;
- the reasons for your current employment status;
- your education, training and other qualifications;
- whether you are a member of a professional or trade association or trade union;
- changes to your marital status;
- other matters relevant to your application and which are not otherwise usually collected by us as personal information or credit information in the ways for the purposes described in our General Privacy Policy and our Credit Information Privacy Policy.

### **The purposes for which we collect and use your sensitive information**

We will only collect, use, hold and disclose your sensitive information for the following purposes and in the following ways to:

- assess your application for a variation to the terms of repayment under your (consumer) credit contract on the grounds of hardship ('hardship variation').
- explain our decision whether or not to agree to a hardship variation.
- administer, monitor and record any agreed hardship variation.
- consider any complaint about our decision to refuse a hardship variation in our Internal Disputes Resolution process.
- respond to any complaint about our decision to refuse a hardship variation made to our External Dispute Resolution scheme.
- manage our business including our responsible lending obligations and our systems for considering applications for hardship variations as required by the NCCP and other relevant laws.



- account to relevant authorities under the NCCP and Australian Privacy Law.

### **How we disclose your sensitive information**

We shall not disclose your sensitive information to any party except for the purposes described above and as permitted by Australian Privacy Law.

In particular, we shall not disclose your sensitive information to any credit Information Privacy body or any other credit provider though we may disclose that you have entered into a hardship variation to such parties.

### **Whether we supply your sensitive information to overseas recipients.**

We shall not provide your sensitive information to overseas entities except as permitted by Australian Privacy Law.

### **How you may access your sensitive information held by us**

You may access your sensitive information held by us in the same way and subject to the same restrictions as you may access any of your personal information held by us as described in our General Privacy Policy.

There is no charge to make a request for access to your sensitive information but we may apply an administration fee for providing such access.

### **How you may seek correction of the sensitive information we hold about you**

You may apply to correct the sensitive information we hold about you in the same way and subject to the same restrictions as you may do so for any of your personal information held by us and as describe in our General Privacy Policy.

### **How you may complain about how we deal with your sensitive information**

If you are not satisfied with how we have dealt with your sensitive information, please contact our Privacy Officer in the same way as is described in our General Privacy Policy.

Again, if you are not satisfied with our Internal Dispute Resolution Process in relation to your sensitive information, you may refer your complaint to our External Dispute

Resolution scheme as described in our General Privacy Policy or to the Office of the Australian Information Commissioner.

**Changes to this policy**

We may change this policy for the same reasons and in the same manner and with the same notice as is described in our General Privacy Policy.