

BARCHESTER

Financial Services

Barchester Financial Services Pty Ltd | AFSL 490348 **Privacy Policy**

Policy Statement

Barchester has adopted this APP Privacy Policy to ensure that we handle personal information in accordance with the Australian Privacy Principles set out in Schedule 1 of the Privacy Act 1988 (Cth).

Barchester will maintain and regularly review this APP Privacy Policy and intends to comply with the Australian Privacy Principles as far as is reasonably practicable in the circumstances of managing its business.

This Policy will be made available on our website. You may also request a printed copy from one of our branches, which will be provided at no charge.

Policy Objectives

It is the objective of this Privacy Policy to detail how Barchester intends to abide by the APPs.

Policy Scope

This policy applies to all of Barchester.

Definitions

APPs means Australian Privacy Principles

Barchester, we and **our** means **Barchester Financial Services Pty Ltd** (ABN 83 613 754 591) AFSL 490348 and its wholly owned subsidiaries. These subsidiaries include

Joint Ventures and Services Partners means entities for whom Barchester distributes products or services to clients on an exclusive or preferential basis as part of its general service offering and to whom Barchester is required to provide Personal Information in order for them to manage those products or services for you. Joint ventures and service partners of Barchester include

Personal information means information or an opinion about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Sensitive information means information or an opinion about, amongst other things, an individual's racial or ethnic origin; political opinions; or religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual orientation or practices; criminal record; or health information.

Policy

This APP Privacy Policy will be divided into five parts to reflect the different stages of the personal information management life-cycle, in line with the APPs.

PART 1 – CONSIDERATION OF PERSONAL INFORMATION PRIVACY

APP 1 – Open and transparent management of personal information

Barchester collects personal information which is reasonably necessary to:

- consider account and credit applications;
- maintain your account and contact details;
- process transactions to which you are a party;
- advertise, promote and provide you with products or services distributed by Barchester; and/or
- improve our website and web services.*

*When you visit our website, our Internet Service Provider records the following information: your IP Address; the date, time and duration of your visit; the number of pages you have downloaded; and the type of browser you use. Google Analytics Demographic and Interest reporting may be used to develop specific offers or advertising from time to time.

Barchester may ask for personal, business and contact details along with financial information (including details of assets and liabilities). We may also ask you for your bank account details. We will generally do this by asking you to complete an application form. We may also ask you for this or similar information personally.

To enable us to assess an application for credit or provide you with information about our products and services we may disclose your personal information to credit reporting agencies and other third parties such as mailing houses, electronic network administrators or other companies that are part of Barchester. The information we may disclose for credit reporting purposes includes:

- the fact that you have applied for credit and the amount;
- the fact that Barchester is a credit provider to you; and
- payments which become overdue and for which debt collection action has started.

We may also use your personal information to:

- obtain from a credit reporting agency a credit report containing personal information about you in relation to commercial credit provided by Barchester;
- obtain a report containing information about your commercial activities or commercial creditworthiness from a business which provides information about the commercial creditworthiness of a person; and
- obtain a report from a credit reporting agency and other information in relation to your commercial credit activities.

APP 2 – Anonymity and pseudonymity

Barchester will allow its customers to transact with it anonymously or by using a pseudonym, wherever that is reasonable and practicable.

However, this will not be possible if Barchester is required or authorised by law or other instrument to deal with customers who have been appropriately identified; or where it is impracticable for us to deal with individuals who have not identified themselves or who would prefer to use a pseudonym. Examples of this impracticality include: when you transact with us using your Barchester account; when you buy prescribed products and the law requires us to maintain a register of purchasers; and where you are contracting with a third party (for example, when you enter into a contract to sell livestock or real estate).

PART 2 – COLLECTION OF PERSONAL INFORMATION**APP 3 – Collection of solicited personal information**

Barchester will only collect personal information from you if it is reasonably necessary to provide goods or services to you (including on credit) or undertake ancillary functions for you. Barchester will only collect personal information for the purposes for which we advised you we were collecting it for or a related purpose which would reasonably be expected or otherwise with your permission. For example, we may from time to time use your personal information to provide information about products, services, promotions and campaigns which we expect may be of interest to you. Generally, we collect personal information through account opening forms, contracts to which you are a party, and other forms completed by you when dealing with us (including when participating in a promotion or competition).

Barchester may also collect your information to do one or more of the following:

- assess an application for credit;
- open a credit account for you;
- maintain your account;
- process transactions on your behalf;
- notify you of any products or services distributed by Barchester that may be of interest to you (including products or services offered by our joint ventures and service partners that are part of the Barchester Group);
- register any security interest Barchester may have in connection with your credit account on the Personal Property Securities Register or another security register;
- enable us to meet our obligations under certain laws or under subpoenas or warrants that are served on us;
- any purpose for which the information was requested and any directly related purpose; or
- developing, improving and marketing our products and services.

Barchester will generally not be required to collect sensitive information about you. Barchester will only do so if it is considered reasonably necessary for us to collect such information for us to perform our functions or activities and you consent, or collection is required by law.

APP 4 – Dealing with unsolicited personal information

If Barchester receives personal information about you from a source other than you, or it is information provided by you which we did not request, Barchester undertakes to determine, within a reasonable period, if we could have requested such personal information under APP 3. If Barchester determines that we could have collected the information under APP 3, we may then use, and treat, that information as if we had collected the information in that manner. If Barchester determines that we could not have collected the information under APP 3, we undertake to destroy or de-identify that information, within a reasonable period.

APP 5 – Notification of the collection of personal information

When Barchester is collecting personal information about you, we will make it clear to you, either at or before the time, or as soon as practicable afterwards, why we are collecting such information. This is particularly relevant if we are collecting personal information about you from someone other than yourself. For example we may receive personal information about you from a credit reporting agency. We will also make it clear to you if we are required to collect such information by reason of a law or some other legal instrument; why we are collecting such information and any potential consequences for you if we do not collect such information.

PART 3 – DEALING WITH PERSONAL INFORMATION**APP 6 – Use or disclosure of personal information**

Barchester collects personal information from you for a specific reason as described in APP 3. This is referred to as the primary purpose. Barchester agrees to not use or disclose this information for a secondary purpose unless you consent to us doing so, or under the circumstances involved we believe you would reasonably expect Barchester to use or disclose the information for a secondary purpose and that that secondary purpose is related to the primary purpose.

In the unlikely event that we hold sensitive information about you, we will only disclose or use that information with your consent or if the use or disclosure is directly related to the primary purpose.

Barchester will also disclose your personal information or sensitive information if we are required to do so by law or by order of a court or tribunal; or if Barchester reasonably believes that the use or disclosure of the information is reasonably necessary for an enforcement related activity or on behalf of an enforcement body, in which case we will make a written note of the use or disclosure.

This principle does not apply to direct marketing activities, which are discussed in APP 7 below.

APP 7 – Direct marketing

Barchester will only use any personal information we hold on you for the purpose of direct marketing if:

- we collected the information involved;
- we believe you would reasonably expect us to use or disclose the information for direct marketing; and
- we provide an option for you to request that we do not use the information for direct marketing – and you have not utilised this offer.

If we collected the information involved from you and you would not reasonably expect us to use or disclose the information for the purpose of direct marketing, or we collected the information from someone other than you, we will only use or disclose the information with your consent or where it is

impracticable to obtain your consent. Either way, we will provide you with a simple means by which you may request not to receive direct marketing communications from Barchester.

Barchester undertakes that when we do use or disclose any personal information we hold on you for direct marketing purposes, those direct marketing materials will provide you with an option to declare you do not wish to receive such material in the future. If requested, we will provide you with the source of any information we use or disclose for direct marketing purposes, whether that direct marketing be by us or another organisation; and we will provide you with the opportunity to request that we, or the other organisation, do not send direct marketing information to you. We will also not charge for that request and we will action it in a reasonable time frame. You may also request that we not use or disclose information to facilitate direct marketing by other organisations.

APP 8 – Cross-border disclosure of personal information

Barchester will only transfer personal information about an individual to someone (other than a member of the Barchester Group or the individual) who is in a foreign country if we reasonably believe that the recipient of the information is subject to a law or binding scheme substantially similar to the APPs and there are mechanisms that can be used to take action or enforce those laws or scheme. Barchester may also transfer the personal information if you specifically consent to us doing so, or we are required to do so under Australian law or an order of a court or tribunal. Otherwise, Barchester will take reasonable steps under the circumstances to ensure that the overseas recipient does not breach the APPs (apart from APP 1).

Barchester advises that all information is stored domestically within Australia. Barchester has an Information Technology services agreement with Hewlett Packard (HP) where support services for our computer systems are managed overseas. As part of usual business practices those support services, based predominantly in Manila and at times project managed from India, do have access to our systems as well as any data held in those systems, although that information is only held domestically.

Due diligence was carried out to ensure appropriate levels of security are in place to ensure the security and integrity of the data, as well as systems and processes are adequate to ensure access to our servers is appropriately managed. Service Agreements between Barchester and HP are regularly reviewed and contain requirements for the protection of our systems and any information held on them.

APP 9 – Adoption, use or disclosure of government related identifiers

As a general practice, Barchester does not use government related identifiers. Barchester will not use or disclose a government related identifier unless the use or disclosure of the identifier is: reasonably necessary for us to be able to verify your identity; reasonably necessary for us to fulfil any obligations we may have to a government agency or the State or Territory; required or authorised by or under an Australian law or a court or tribunal. We may use or disclose such an identifier if it is reasonably necessary for an enforcement related activity by or on behalf of an enforcement body. We may also use or disclose a government related identifier related to you if we are allowed or required by law or regulation to do so.

PART 4 – INTEGRITY OF PERSONAL INFORMATION

APP 10 – Quality of personal information

Barchester will take all steps reasonable in the circumstances to ensure that the personal information we collect from you is accurate, up to date and complete. Where we collect information from you directly, we rely on you to supply accurate information and we may not consider that further steps are required. Barchester will also ensure that all steps reasonable under the circumstances to ensure that the personal

information we use or disclose is, when considered in relation to the purpose for which we are using or disclosing the information, accurate, up to date, complete and relevant.

Where information is collected for a one off purpose, such as to establish a trading account for you, and that information is not likely to be used again, we will not update that information unless it becomes necessary to use or disclose it again (for example, when you apply to increase your trading limit).

APP 11 – Security of personal information

Barchester will take all steps reasonable under the circumstances to protect your personal information from misuse, interference, loss; and unauthorised access, modification or disclosure. If we no longer require to hold such personal information, we will take all reasonable steps under the circumstances to destroy or de-identify the information. However, we may retain documents that contain personal information in accordance with document retention practices. For example, Barchester may retain copies of contracts to which you are a party, even though the contracts may contain personal information about you. Similarly, information provided for the purposes of establishing or varying the terms of a trading account will be retained on file in case enforcement proceedings become necessary in future.

PART 5 – ACCESS TO, AND CORRECTION OF, PERSONAL INFORMATION

APP 12 – Access to personal information

Barchester will allow you access to any personal information we may hold on you unless there are lawful reasons to refuse you access.

For example, we may refuse access if we reasonably believe under the circumstances that doing so would: pose serious threat to the life, health and safety to any individual, or to public health and safety; have an unreasonable impact on the privacy of others; or that we consider the request as frivolous or vexatious. We will also not release the information if it relates: to existing or anticipated legal proceedings between Barchester and you, and would be protected by legal professional privilege; any potential negotiations between Barchester and you would be prejudiced or; it is illegal to release the information, or denying access is ordered by a court or tribunal.

If Barchester reasonably suspects that you are participating in an unlawful activity or serious misconduct in relation to our functions or activities and giving you access to the information would be likely to prejudice our position, Barchester will not release the information to you. We will also not release such information to you if doing so would reveal information that is commercially sensitive to us; or releasing the information would be likely to prejudice any enforcement related activity we may be conducting on behalf of an enforcement body.

If Barchester is refusing to grant access to personal information for any of the above reasons or refusing access in the manner that you have requested, we will consider if there is any way in which we can release the information including the releasing of the information via a mutually agreed third party. If Barchester still considers that we cannot release the information we will provide you with reasons as to why we consider we cannot release the information involved.

If Barchester is in a position to release the personal information we will do so within a reasonable time after receiving your request and in the manner requested by you, if it is reasonable and practicable for us to do so. We may charge a reasonable fee for giving access to the information.

APP 13 – Correction of personal information

If Barchester determines that personal information we hold on you is inaccurate, out of date, incomplete, irrelevant or misleading, or you request us to correct the information, we will take all such steps as are reasonable in the circumstances to correct the information we hold, after considering the reason why we

hold the information, and to make sure it is accurate, up to date, complete, relevant and not misleading. If we had disclosed the original information to a third party or you request us to advise another party we will take all reasonable steps to update that other party unless it is impracticable or unlawful to do so.

If we refuse to update or correct the information held, we will provide you with the reasons why, how you can complain about our refusal and any other matter we may be required to advise you about in the circumstances. If we have refused to update personal information held, you may request we associate a statement from you, with the information held, that you believe that the information held is inaccurate, out of date, incomplete, irrelevant or misleading. We will then take all reasonable steps under the circumstances to associate any such statement.

If Barchester receives a request from you to update personal information held by us we will respond to that request within a reasonable period of time after receiving the request. Barchester will not charge for your request, the correction of information, or associating a statement.

Privacy - Enquiries, Requests, Complaints, Breaches

Enquiries regarding this APP Privacy Policy or the personal information Barchester may hold on you, should be addressed to the Privacy Officer, whose contact details are below.

If you think your personal information, held by Barchester, may have been compromised in any way or you have any other Privacy related complaints or issues, you should also raise the matter with the Privacy Officer.

Barchester will ensure your claims are investigated and a formal response will be provided to you, within a reasonable time, considering the circumstances of your claims. If any corrective action is determined to be required, as a result of that investigation, Barchester will take all reasonable steps to rectify the situation and advise you of such, again within a reasonable time considering the circumstances.

Barchester Privacy Officer Contact Details

Email: compliance@Barchester.com.au
Phone: 07 3510 3510
Mail: The Privacy Officer,
Barchester Financial Services,
5 Latrobe Terrace, Paddington QLD 4064