

## Credit Reporting Policy

This Credit Reporting Policy (and the Finkey Statement of Notifiable Matters) applies to Finkey Capital Pty Ltd (ABN 37 662 168 916) (referred to in this policy as 'Finkey', 'us' 'we' or 'our').

At Finkey, we take our obligations to protect personal information about individuals, including credit information and credit eligibility information, seriously. We are bound by Part IIIA of the *Privacy Act 1988* (Cth) ('**Privacy Act**') and the *Privacy (Credit Reporting) Code 2014* (Cth) ('**CR Code**'), which govern credit reporting in Australia.

### About this Credit Reporting Policy

The purpose of this Credit Reporting Policy is to tell you how we manage:

- **Credit information** – this information relates primarily to your credit-related dealings with us and we can disclose this information to credit reporting bodies. For a list of what is credit information see paragraph 1 below: "*What kinds of credit information do we collect and hold?*" below;
- **Credit eligibility information** – this information relates primarily to your credit-related dealings with other credit providers. Credit eligibility information comprises 'credit reporting information' provided by credit reporting bodies; and credit worthiness information that we derive using "credit information".

The Privacy Act contains a variety of detailed definitions describing these types of information. We have only included some general explanations above. If you would like to refer to the full provisions in the Privacy Act and or the CR Code they are available on the website of the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au).

This Policy explains:

- the kinds of credit information and credit eligibility information that we collect and hold;
- how we collect and hold credit information and credit eligibility information;
- the purposes for which we collect, hold, use and disclose credit information and credit eligibility information;
- how you may request access to your credit information and credit eligibility information held by us or request correction of that information;
- how to make a complaint if you consider that we have not complied with Part IIIA of the Privacy Act or with the CR Code, and how we will deal with such complaints; and
- the circumstances in which we may disclose credit information and credit eligibility information to overseas recipients and the countries where such recipients may be located.

This Policy applies to any individual in relation to whom we hold credit information or credit eligibility information no matter how they interact with us (e.g., on-line, in person or over the phone). The latest version of this Policy will be published on our website.

## **1. What kinds of credit information do we collect and hold?**

When you apply for credit with us, throughout our relationship, and for as long as we are required under the law, we may collect and hold your credit information.

Examples of credit information include:

- Identification information, such as your name, address, date of birth or employer.
- Consumer credit liability information. This is information about consumer credit accounts you hold, or have held, with us, such as the type of account, the date the account was opened and closed, the maximum amount of credit approved for that account and some specific terms and conditions relating to the repayment of credit under that account.
- A note that we have made an information request about you with a credit reporting body. An information request is when we ask a credit reporting body to provide us with credit reporting information about you.
- The type of credit and the amount of credit sought in an application for credit made by you in connection with which we made an information request.
- Default information about you. This is information about a payment owed by you as a borrower or guarantor in connection with consumer credit that remains overdue for more than 60 days and which we can disclose to a credit reporting body if certain requirements under the Privacy Act are met.
- Payment information about you. Payment information is a statement that an overdue payment in relation to which default information was provided to a credit reporting body has been paid.
- Court proceedings information about you. This is information about a judgment of an Australian court that is made against you that relates to credit that was provided to, or applied for, by you.
- Personal insolvency information about you. This is information recorded in the National Personal Insolvency Index and relating to your bankruptcy, a debt agreement proposal given by you, a debt agreement made by you, a personal insolvency agreement executed by you, a direction given, or an order made, under the Bankruptcy Act that relates to your property or an authority signed under the Bankruptcy Act that relates to your property.
- Publicly available information about you:
  - that relates to your activities in Australia or the external territories and your creditworthiness; and
  - that is not court proceedings information about you or information about you that is entered or recorded in the National Personal Insolvency Index.
- An opinion we have on reasonable grounds that you have committed a serious credit infringement in relation to consumer credit that was provided to you. A serious credit infringement includes, in summary:

- that you were fraudulently obtaining (or attempting to obtain) consumer credit; or
- that you are fraudulently evading (or attempting to evade) your consumer credit obligations; or
- that you are no longer intending to comply with your consumer credit obligations as we have not been able to contact you for 6 months in accordance with the Privacy Act.

## 2. How do we collect credit information?

We collect credit information in a variety of ways, such as obtaining the relevant information directly from you or by persons acting on your behalf (including on application forms or other forms or in our ongoing dealings with you in connection with credit). Some credit information will also be derived by us from your transactions in connection with credit, such as when you make payments to us.

## 3. Exchanges of information about you with credit reporting bodies

We may obtain credit reporting information about you from credit reporting bodies. Credit reporting information includes:

- **credit information** of the kinds listed under ‘What kinds of credit information do we collect and hold?’ but relating primarily to your dealings with other credit providers (such as about credit applications you have made or credit that you hold with other credit providers). This information will typically have been provided by other credit providers or other third parties; and
- **credit worthiness** information about you that credit reporting bodies derive from the information above, such as credit scores, risk ratings and other evaluations about you. We may also disclose your credit information relating to your dealings with us to credit reporting bodies. Those credit reporting bodies may include that information in reports that they provide to other credit providers to assist them to assess your credit worthiness.

For example, we will provide information that identifies you and about your application for credit when obtaining credit reporting information for the purposes of assessing that application. Further, if you fail to meet your payment obligations in relation to consumer credit, or commit a serious credit infringement, we may be entitled to disclose this to a credit reporting body.

Finkey may disclose your credit information to one or more credit reporting bodies which are Equifax ([www.equifax.com.au](http://www.equifax.com.au)), Illion ([www.illion.com.au](http://www.illion.com.au)) and Experian Australia ([www.experian.com.au](http://www.experian.com.au)). The Privacy Policy of each of these credit reporting bodies explains how it will manage your personal information. These policies can be found on their websites. We encourage you to review the above the respective policies to satisfy any concerns you may have.

Credit reporting bodies are required to have a policy which explains how they will manage your credit-related personal information. If you would like to read the policy please visit their website, or you can contact them directly for further information.

You have the right to request these credit reporting bodies to exclude your credit reporting information from any permissible direct marketing activities Finkey may request them to perform.

You also have the right to request credit reporting bodies not to use or disclose your credit reporting information if you believe that you have been, or are likely to be, the victim of fraud (for example, you suspect someone is using your identity details to apply for credit). You must contact the credit reporting bodies directly should this be the case.

#### **4. What kinds of credit worthiness information do we derive from credit reporting information?**

We utilise credit reporting information obtained from credit reporting bodies to derive other information that assists us in assessing your credit worthiness, for example, credit risk ratings and credit scores.

#### **5. How do we hold and protect credit information and credit eligibility information?**

We understand the importance of protecting the personal information, including credit information and credit eligibility information, we hold. We take reasonable steps to ensure that this information is free from misuse, interference, loss, unauthorised access or modification. Examples of these steps include:

- securing information both in physical and electronic form;
- having internal procedures and measures limiting access to personal information only to those that need access for their legitimate activities; and
- protecting our systems by appropriate technology solutions.

#### **6. For what purposes do we collect, hold, use and disclose credit information and credit eligibility information?**

Finkey collects, holds, uses and discloses credit information and credit eligibility information, as well as information derived from credit information and credit eligibility information, about you for purposes reasonably necessary for our business activities and consistently with the requirements in the Privacy Act as permitted by law. These purposes include:

- to assess applications for credit (including assessing any proposed guarantors);
- for the ongoing servicing and administration of our accounts and products;
- to assist with the management, including recovery, of outstanding debts;
- to assist you if we consider that you may be at risk of default;
- internal management purposes;
- for data analysis;

- to participate in the credit reporting system and provide information to credit reporting bodies as permitted by the Privacy Act;
- to undertake securitisation activities and debt assignments;
- to deal with complaints and legal proceedings;
- to meet our legal and regulatory requirements (such as reporting matters to regulators or enforcement bodies when authorised or required by law); and
- to assist other credit providers with such purposes in circumstances permitted by the Privacy Act (such as disclosing information to another credit provider with your consent or where you have committed a serious credit infringement).

Restrictions apply under the Privacy Act in relation to the circumstances and purposes for which such information may be used or disclosed and we comply with these restrictions. For example, credit eligibility information may not be disclosed to some types of overseas entities and restrictions apply on the use of credit eligibility information for direct marketing.

## **7. Will we be disclosing your credit information or credit eligibility information to overseas organisations?**

As is the case throughout the Australian financial services industry (and other major industries), technology allows for services to be provided by different service providers including some that are located overseas.

We utilise overseas service providers for some of our activities and to do so we may need to disclose credit information or credit eligibility information to those service providers. We may also disclose such information to other overseas recipients for the purposes listed above when permitted to do so by the Privacy Act.

Whilst it is not practicable to list every country in which such recipients are likely to be located, it is likely that the countries to which your credit information or credit eligibility information may be disclosed include India, Spain, Costa Rica, Finland, Mongolia, Israel, Bulgaria, Canada, Japan, Mexico, New Zealand, Philippines, Singapore, United Kingdom, and the United States of America.

## **8. How can you access credit eligibility information we hold about you?**

You may access the credit eligibility information which we hold about you by contacting us on the relevant contact number provided at the end of this Policy. We will need to verify your identity before giving you access. We will usually provide the information requested within 30 days of receiving your request. If there is a reason we are unable to agree to a request for access to your credit eligibility information we will advise you of this in writing. There is no charge to make a request for access but we may apply an administration fee for providing access in accordance with your request.

## **9. How can you seek correction of the credit information or credit eligibility information about you which we hold?**

We aim to hold accurate and up-to-date credit information and credit eligibility information about you at all times. If you consider that any such information we hold about you is incorrect in any way, you may seek the correction of that information. To seek such a correction please call the relevant contact number provided at the end of this Policy to discuss your query. In certain situations, we may not agree to a request to correct information we hold about you. If this occurs, we will advise you of this and our reason for not agreeing to the correction request in writing.

## **10. How can you make a complaint about our compliance with our credit reporting obligations and how will we deal with such a complaint?**

If you believe that we have failed to comply with the credit reporting requirements in Part IIIA of the Privacy Act or the CR Code, please contact us and we will then follow our standard Internal Dispute Resolution process. The 'Contact Us' section of our website contains details of the ways you can contact us. If the complaint remains unresolved you may refer the matter to our recognised External Dispute Resolution scheme.

Finkey is a member of the Australian Financial Complaints Authority (AFCA). AFCA independently and impartially resolves disputes between consumers and participating members on matters including privacy. The contact details for AFCA are:

Australian Financial Complaints Authority

**Phone:** 1800 931 678

**Fax:** (03) 9613 6399

**Website:** <https://www.afca.org.au/>

Alternatively, the matter may be referred to the Office of the Australian Information Commissioner (the 'OAIC'). The contact details for the OAIC are:

The Office of the Australian Information Commissioner

GPO Box 2999

Canberra ACT 2601

Australia

**Phone:** 1300 363 992

**Fax:** 02 9284 9666

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

## **11. Finkey Contact details**

The Privacy Officer

Finkey Capital Pty Ltd

**Phone:** 1300 346 539

**Email:** [privacy@finkey.co](mailto:privacy@finkey.co)

**Mail:** PO Box 765 Ryde NSW

This Privacy Policy and Credit Reporting Policy was last updated in October 2023 and is subject to change.