

# Privacy Policy.

Defence Bank Limited.



**Defence**  
Bank

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# Defence Bank Limited Privacy Policy.

**Defence Bank Limited** (ABN 57 087 651 385). ('we', 'us', 'our') is bound by the Australian Privacy Principles under the *Privacy Act 1988* (Cth) (**Privacy Act**). We are also bound by Division 3 of Part IIIA of the Privacy Act, which regulates the handling of credit information, credit eligibility information and related information by credit providers, and by the Privacy (Credit Reporting) Code 2014.

This Privacy Policy outlines how we deal with your personal information (including credit-related information), as well as our legal obligations and rights as to that information. If we agree with you to use or disclose any of your personal information in ways which differ to those stated in this Privacy Policy, the provisions of that agreement will prevail to the extent of any inconsistency.

## Section 1 - Key types of information.

Certain words have special meanings when used in this Privacy Policy. These are shown below.

‘Personal information’ means information or an opinion about an individual who is identified, or who can reasonably be identified, from the information. Although we try to make sure that all information we hold is accurate, ‘personal information’ also includes any inaccurate information about the individual.

‘Credit eligibility information’ means information that has been obtained from a credit reporting body, or that has been derived from that information, that is about an individual’s credit worthiness.

‘Credit information’ means personal information that includes the following:

- information about an individual, like their name, age and address, that we may use to identify that individual;
- information about an individual’s current or terminated consumer credit accounts and an individual’s repayment history;
- the type and amount of credit applied for in any previous consumer or commercial credit applications to any credit provider, where that credit provider has requested information;
- information about an individual from a credit reporting body;
- information about consumer credit payments overdue for at least 60 days and for which collection action has started;
- advice that payments that were previously notified to a credit reporting body as overdue are no longer overdue;
- information about new credit arrangements an individual may have made with a credit provider, in relation to consumer credit currently or previously held, to deal with any defaults or serious credit infringements by that individual;
- information about court judgments which relate to credit that an individual has obtained or applied for;
- information about an individual on the National Personal Insolvency Index;
- publicly available information about an individual’s credit worthiness; and
- an opinion of a credit provider that an individual has committed a serious credit infringement of credit provided by that credit provider.

We may not hold all of these kinds of information about a particular individual. However, if we hold any of these kinds of information, it is protected as ‘credit information’ under this Privacy Policy.

‘Credit-related information’ means credit information, credit eligibility information and related information.

## **Section 2 - Collection.**

Wherever possible, we will collect personal information (including credit information) directly from you. This information will generally come from what you provide in or with your application for membership and/or for our products or services.

We only ask for personal information relevant to our business relationship with you. When you apply for one of our products or services, we may request:

- identifying information, like your name, address and other contact details and your date of birth;
- information about your financial position, like your income, expenses, savings and assets and any (other) credit arrangements;
- your employment details;
- your tax residency details and taxpayer identification number (including tax file number); and
- your reasons for applying for a product or service.

We may also collect personal information (including credit-related information) about you from third parties, such as any referees that you provide, your employer, other credit providers and third party service providers including credit reporting bodies. Credit reporting bodies collect credit information about individuals which they provide as credit reports to credit providers and others in the credit industry to assist them in managing credit risk, collecting debts and other activities. You can also ask a credit reporting body, through contact details on their website, not to use or disclose your personal information if you believe on reasonable grounds that you have been or are likely to be a victim of fraud, including identity fraud.

Some information is created through our internal processes, like credit eligibility scoring information.

### **Section 3 - Use.**

We may use your personal information (including credit-related information) for the purpose of providing products and services to you and managing our business. This may include:

- assessing and processing your application for the products and services we offer;
- establishing and providing our systems and processes to provide our products and services to you;
- executing your instructions;
- charging and billing;
- uses required or authorised by law;
- maintaining and developing our business systems and infrastructure;
- research and development;
- collecting overdue payments due under our credit products;
- managing our rights and obligations regarding external payment systems; or
- marketing, including direct marketing.

In general, we do not use or disclose your personal information (including credit-related information) for a purpose other than:

- a purpose set out in this Privacy Policy;
- a purpose you would reasonably expect;
- a purpose required or permitted by law; or
- a purpose otherwise disclosed to you to which you have consented.

## Section 4 - Disclosure.

We may disclose your personal information (including credit-related information) to other organisations. Any disclosure made to another organisation will be made on the basis of one of the following:

- you direct us to do so,
- you consent to the third party obtaining the information from us, or
- you consent to the third party accessing the information on our systems, and/or do anything which enables the third party to obtain access.

Your consent to a third party obtaining or accessing information may be implied from:

- your use of any service or application which a third party provides to you, or makes available to you, which involves the third party obtaining or accessing personal information held by us or organisations like us, or
- you doing anything else which enables the third party to obtain access to the information.

Your personal information may be disclosed to some of the following organisations:

- our related companies;
- external organisations that are our assignees, agents or contractors;
- external service providers to us, such as organisations which we use to support our banking & payments systems, verify your identity, valuation agencies, mailing houses and research consultants;
- insurers and re-insurers, where insurance is provided in connection with our services to you;
- foreign exchange providers, where you seek to use their services to conduct a transaction involving foreign currency;
- superannuation funds, where superannuation services are provided to you;
- other financial institutions and their advisers, for example, when you apply for a loan from another credit provider and you agree to us providing information;
- mortgage and finance brokers, credit assistants and intermediaries engaged by you;
- your employer and any representative authorised by you;
- credit reporting bodies, including disclosing that you are in default under a credit agreement or commit a serious credit infringement, if that is the case;
- mortgage insurers, where lenders mortgage insurance is relevant to any credit we have provided;
- debt collecting agencies, if you have not repaid a loan as required;
- our professional advisors, such as accountants, lawyers and auditors;
- commonwealth, state or territory authorities that give assistance to facilitate the provision of home loans to individuals;
- other credit providers and their professional advisors;

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- any industry body, tribunal, or court or otherwise in connection with any complaint regarding the services we provide to you;
- certain entities that have bought or otherwise obtained an interest in your credit product, or that are considering doing so, and their professional advisors;
- your representative, for example, lawyer, mortgage broker, financial advisor or attorney, as authorised by you, or
- if required or authorised by law, to government and regulatory authorities.

We will take reasonable steps to ensure that these organisations are bound by sufficient confidentiality and privacy obligations with respect to the protection of your personal information.

Where you seek a service or product provided by or through a third party your personal information will be held, used and disclosed in accordance with and governed by the terms of their Privacy policies and you need to refer to their privacy policies for further information. A third party provider may also disclose your personal information overseas if specified in their privacy policy.

We currently do not disclose your personal information overseas. However, if we do disclose this information outside Australia, we will do so on the basis that the information will be used only for the purposes set out in this Privacy Policy and subject to the security provisions set out in this Privacy Policy in relation to protection of your personal information.

## **Section 5 - Sensitive information.**

Where it is necessary to do so, we may collect personal information about you that is sensitive. Sensitive information includes information about an individual's health, and membership of a professional or trade association.

Unless we are required or permitted by law to collect that information, we will obtain your consent. However, if the information relates directly to your ability to meet financial obligations that you owe to us, you are treated as having consented to its collection.

## **Section 6 - Refusal of credit applications.**

We may refuse an application for consumer credit made by you individually or with other applicants. Our refusal may be based on credit eligibility information obtained from a credit reporting body about either you, another applicant or another person proposed as guarantor. In that case, we will give you written notice that the application has been refused on the basis of that information. We will tell you the name and contact details of the relevant credit reporting body and other relevant information.

## Section 7 - Security.

### 7.1 Security by us.

We take all reasonable steps to ensure that your personal information (including credit-related information), held by us is protected from:

- misuse, interference and loss; and
- unauthorised access, disclosure or modification.

When we no longer require your personal information (including when we are no longer required by law to keep records relating to you), we take reasonable steps to ensure that it is destroyed or de-identified.

### 7.2 Security by you.

We ask you to keep your passcodes, personal identification numbers, token and other devices safe, in accordance with our suggestions.

You can also help to keep the personal information that we hold about you secure by taking care before you authorise or otherwise assist any third party to obtain or gain access to that information (see Section 4 'Disclosure' above). You should never provide or disclose any of your passcodes or personal identification numbers to any third party to enable the third party to obtain or access to your personal information. If you do, you may breach the ePayments Code and the terms and conditions applying to the products and services we provide to you and you may be liable for any unauthorised transactions that subsequently occur.

## Section 8 - Website.

This section explains how we handle personal information and credit information collected from our website. If you have any questions or concerns about transmitting your personal information via the internet, you may contact our Privacy Officer, whose details are in paragraph 15 of this Privacy Policy, as there are other ways for you to provide us with your personal information.

### 8.1 Visiting our website.

Anytime you access an unsecured part of our website, that is, a public page that does not require you to log on, we will collect information about your visit, such as:

- the time and date of the visit;
- any information or documentation that you download;
- your browser type; and
- internet protocol details of the device used to access the site.

Our website also includes a number of calculators, which may require you to enter your personal details. If you save the data you enter on the calculator, this information will be stored.

### 8.2 Cookies.

A 'cookie' is a small text file which is placed on your internet browser and which we may access each time you visit our website. When you visit the secured pages of our website (i.e. pages that you have to provide login details to access) we use cookies for security and personalisation purposes. When you visit the unsecured pages of our website (i.e. public pages that you can access without providing login details) we use cookies to obtain information about how our website is being used.

You may change the settings on your browser to reject cookies; however doing so might prevent you from accessing the secured pages of our website.

### 8.3 Email.

When we receive emails, we will retain the content of the email and our response to you where we consider it necessary to do so.

Your email address will only be used or disclosed for the purpose for which it was provided. It will not be added to any mailing lists or used for any other purpose without your consent.

### 8.4 Website security.

We use up-to-date security measures on our website to protect your personal information and your credit information. Any data containing personal, credit or related information which we transmit via the internet is encrypted. However, we cannot guarantee that any information transmitted via the internet by us, or yourself, is entirely secure. You use our website at your own risk.

**8.5 Links on our website.**

Our website may contain links to third party websites. The terms of this Privacy Policy do not apply to external websites. If you wish to find out how any third parties handle your personal information or credit information, you will need to obtain a copy of their privacy policy.

## **Section 9 - Access.**

You may request access to the personal information (including credit-related information) that we hold about you at any time from our Privacy Officer whose details are in paragraph 15 of this Privacy Policy.

We will respond to your request for access within a reasonable time. If we refuse to give you access to any of your personal information, we will provide you with reasons for the refusal and the relevant provisions of the Privacy Act that we rely on to refuse access. You can contact our Privacy Officer if you would like to challenge our decision to refuse access.

We may recover the reasonable costs of our response to a request for access to personal information.

## **Section 10 - Accuracy.**

We take reasonable steps to make sure that the personal information (including credit-related information) that we collect, use or disclose is accurate, complete and up-to-date. However, if you believe your information is incorrect, incomplete or not current, you can request that we update this information by contacting our Privacy Officer whose details are in paragraph 15 of this Privacy Policy.

## Section 11 - Marketing.

We may use your personal information, including your contact details, to provide you with information about products and services, including those of other organisations, which we consider may be of interest to you, unless you request not to receive marketing communications. If you are on the Do Not Call Register, while you are our customer we will infer from our relationship with you that you consent to receiving telemarketing calls from us, unless you notify us that you do not wish to receive such calls.

You may request, at any time, no to receive marketing communications or not to receive marketing information through a particular channel, like email. You can make this request by contacting Defence Bank, or by 'unsubscribing' from our email marketing messages, which always include an unsubscribe option.

Unless we have first obtained your consent, we will not provide your personal information to other organisations to use for their marketing purposes.

To help us reach the right people with our credit direct marketing, we may ask a credit reporting body to "pre-screen" a list of potential recipients of our direct marketing against our eligibility criteria to remove recipients who do not meet those criteria. The credit reporting body cannot use information about your existing loans or repayment history in carrying out its pre-screening and it must destroy its pre-screening assessment once it has given us, or a contractor acting on our behalf, the list of eligible recipients. If you do not want your credit information used for pre-screening by a credit reporting body that holds credit information about you, you can opt-out by informing that credit reporting body, whose contact details are on their website.

## **Section 12 - Notifiable matters.**

In circumstances where you have made an application for consumer credit, we are required, under the credit reporting code (which forms part of the Privacy Act), to ensure that you are aware of certain specific matters (Notifiable matters). Details of these matters can be viewed on our website at **[defencebank.com.au](http://defencebank.com.au)**.

## **Section 13 - Notifiable data breaches.**

The Privacy Act includes a Notifiable Data Breaches Scheme ('NDB Scheme') which requires us to notify you and the Office of the Australian Information Commissioner ('OAIC') of certain data breaches and recommend steps you can take to limit the impacts of a breach (for example, a passcode change).

The NDB scheme requires us to notify about a data breach that is likely to result in serious harm to affected individuals. There are exceptions where notification is not required. For example, where we have already taken appropriate remedial action that removes the risk of serious harm to any individuals.

If we believe there has been a data breach that impacts your personal information and creates a likely risk of serious harm, we will notify you and the OAIC as soon as practicable and keep in close contact with you about the nature of the breach, the steps we are taking and what you can do to reduce the impacts to your privacy.

If you believe that any personal information we hold about you has been impacted by a data breach, you can contact our Privacy Officer whose details are in paragraph 15 of this Privacy Policy.

## **Section 14 - Changes to the Privacy Policy.**

We may make changes to this Privacy Policy from time to time (without notice to you) that are necessary for our business requirements or the law. Our current Privacy Policy is available on our website.

## Section 15 - Questions and complaints.

If you have any questions, concerns or complaints about this Privacy Policy, or our handling of your personal information (including credit-related information), please contact our Privacy Officer whose details are provided further below in this section. You can also contact the Privacy Officer if you believe that the privacy of your personal information has been compromised or is not adequately protected.

Once a complaint has been lodged, we will respond to you as soon as possible. We will aim to deal with your complaint at the source of your complaint. If you are not satisfied with the response you receive, please let us know and our Privacy Officer will investigate further and respond to you.

If you are still not satisfied, you can contact external bodies that deal with privacy complaints. These are:

- Australian Financial Complaints Authority (AFCA), which is our external dispute resolution scheme; and
- The Office of the Australian Information Commissioner.

Either of these bodies may forward your complaint to another external dispute resolution body if it considers the complaint would be better handled by that other body.

### 15.1 Privacy Officer.

Our Privacy Officer's contact details are:

**Address:** PO Box 14537 Melbourne VIC 8001  
**Telephone:** 1800 033 139  
**Email:** info@defencebank.com.au  
(marked to the attention of the Privacy Officer)

### 15.2 Australian Financial Complaints Authority.

**Email:** info@afca.org.au  
**Telephone:** 1800 931 678 (free call)  
**Post:** Australian Financial Complaints Authority  
GPO Box 3, Melbourne Vic 3001  
**Online:** www.afca.org.au

### 15.3 Office of the Australian Information Commissioner.

**Post:** GPO Box 5218 Sydney NSW 2001  
**Telephone:** 1300 363 992  
**Website:** www.oaic.gov.au



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