

Bennett & Philp Credit Reporting Privacy Policy

Introduction

1. This Credit Reporting Privacy Policy is the official credit reporting policy of Bennett & Philp Pty Ltd ACN 132 284 372 and BP Services Pty Ltd ACN 069 893 198 (collectively referred to hereinafter as “Bennett & Philp”) as required by the *Privacy Act 1988* (the “Act”) and particularly Part IIIA of that Act and the Credit Reporting Code (the “CR Code”) and it applies to all credit information and credit eligibility information about individuals (“credit information”) collected, held and used by Bennett & Philp in its activities as a credit provider insofar as Bennett & Philp may be a credit provider.

In this policy we explain how and why we collect credit information about individuals, how we use such information, and what controls individuals have over our collection and use of information about them. This policy may be relevant to individuals who are current and former clients, as well as other individuals that Bennett & Philp deals with in connection with credit we provide to clients.

2. Bennett & Philp is committed to complying with Commonwealth legislation and regulations (the Act and the CR Code) governing privacy of credit information about individuals by credit providers and to protecting and safeguarding the privacy of individuals when they deal with us.

Collection of information and types of information collected

3. Bennett & Philp collects, holds and uses various types of credit-related information about individuals, which information may include:
 - Names;
 - contact details, such as residential address, postal address, telephone number, facsimile number, mobile telephone number, email address;
 - age;
 - gender;
 - financial information, including information about transactions and trading history with Bennett & Philp;
 - information about credit history;
 - identification information, such as driver’s licence numbers;

- whether an individual has entered into arrangements with Bennett & Philp or other credit providers in connection with credit provided to the individual (or an entity associated with the individual);
- court proceedings information, personal insolvency information and credit-related publicly available information;
- certain administrative information relating to credit, such as account numbers.

While the Act uses a variety of terms to refer to such information as described above, for ease of understanding and reading this policy, such information is referred to hereinafter as "**credit information**".

4. Credit information may be collected by Bennett & Philp in a number of ways including:
 - being provided by an individual directly to Bennett & Philp or by persons acting on behalf of the individual (such as on applications or other forms);
 - being provided by other parties with the consent of the individual;
 - being information that is in the public domain;
 - being information that is derived by Bennett & Philp from an individual's transactional history on any file or files (of the individual or of an entity associated with the individual) held with Bennett & Philp.

How credit information is held

5. At or before the time any credit information is collected by Bennett & Philp about an individual, we will take reasonable steps to ensure that the individual is made aware of who we are, the fact that the individual is able to gain access to the information held about the individual, the purpose of the collection, the type(s) of entities to which we usually disclose such information collected about the individuals, any laws requiring the collection of the information and the main consequences for the individual if all or part of the information is not collected.
6. Bennett & Philp may hold credit information about an individual in physical form or in electronic form on our systems or the systems of Bennett & Philp's IT service providers.

The credit information Bennett & Philp holds about individuals is protected by physical, electronic, and procedural safeguards and Bennett & Philp also require its service providers that hold and process such information on Bennett & Philp's

behalf to follow appropriate standards of security and confidentiality. Any credit information we collect from an individual or about an individual is kept securely and held on secure servers in controlled facilities.

7. Bennett & Philp trains its staff and others who work for it on how to handle credit information appropriately and Bennett & Philp restricts access to what is necessary for specific job functions.

Use of information collected and disclosure of personal information to others

8. Bennett & Philp may, as permitted by law, collect, hold, use or disclose credit information held about an individual for the purposes for which such information is collected. These purposes include:
 - to form decisions as to whether to provide an individual, or an entity associated with an individual with legal services and/or credit associated with such legal services;
 - to make assessments relating to an individual's credit worthiness which are used in Bennett & Philp's ongoing decision-making processes regarding provision of credit and the amount of such credit and Bennett & Philp continuing to provide legal services;
 - to charge for Bennett & Philp's services and to receive monies charged;
 - to undertake debt recovery and enforcement activities;
 - to deal with complaints and meet legal and regulatory requirements.
9. Generally, Bennett & Philp will only be permitted to use or disclose credit information held about an individual where the individual has consented to the use or disclosure.
10. Bennett & Philp does not obtain credit information about individuals from credit reporting bodies (CRBs) and nor does Bennett & Philp disclose credit information about individuals to CRBs. Bennett & Philp does disclose and obtain credit information about individuals with and from other parties with the consent of the individual.

Direct Marketing

11. As part of Bennett & Philp's functions and business activities and to promote the services we can provide to our clients and other parties, Bennett & Philp may use

personal information that individuals have provided to Bennett & Philp for the purposes of direct marketing. Direct marketing includes, but is not limited to, sending to our clients and other parties (including individuals) and/or contacting our clients (including individuals) in relation to promotions and information about Bennett & Philp. Recipients of direct marketing are always able to opt out of receiving direct marketing communications by sending an email to Bennett & Philp's Privacy Officer at privacy@bennettphilp.com.au. In any direct marketing communication we remind recipients of their right to opt out of receiving direct marketing communications.

Anonymity and Pseudonymity

12. Individuals have the option of dealing with Bennett & Philp anonymously. However, this only applies where it is not impracticable for Bennett & Philp to deal with individuals acting anonymously or under a pseudonym. For example, individuals making general enquiries of Bennett & Philp may do so anonymously or under a pseudonym. However, if the dealing with Bennett & Philp is for Bennett & Philp to provide legal services and/or to enter into contractual relations then it is impractical for individuals to deal with Bennett & Philp on an anonymous basis or under a pseudonym. Bennett & Philp has a policy which requires new clients to provide proof of identity. This policy is to avoid identity fraud and to confirm identity and authority by a person to provide us with instructions, particularly where a client is not an individual.

Links

13. Our web site may contain links to other web sites and those third party web sites may collect personal information about individuals. We are not responsible for the privacy practices of other businesses or the content of web sites that are linked to our web site. Bennett & Philp encourages users to be aware when they leave our site to read the privacy statements of each and every web site irrespective of whether these web sites collect personally identifiable information.

Security and storage

14. Bennett & Philp places a great importance on the security of all information associated with clients, potential clients and contractors. We have security measures in place to protect against the loss, misuse and alteration of personal information (including credit information) under our control. Bennett & Philp takes all reasonable steps to protect individuals' personal information that is under

Bennett & Philp's control from misuse, interference, loss and/or unauthorised access, modification or disclosure. All personal information (including credit information) held is kept securely and that held electronically is held on secure servers in controlled facilities.

15. Personal information (including credit information) is de-identified or destroyed securely when no longer required by us and no longer required to be kept by us.
16. Bennett & Philp retains information provided to us including individuals' contact and financial and transactional information to enable us to verify transactions and client details and to retain adequate records for legal and accounting purposes. Such information is held securely, including on secure servers in controlled facilities.
17. No data transmission over the Internet can be guaranteed to be absolutely secure. As a result, while we strive to protect clients' and other parties' personal information (including credit information), Bennett & Philp cannot ensure or warrant the security of any information transmitted to it or from its online products or services, and users do so at their own risk. Once Bennett & Philp receives a transmission, we make every effort to ensure the security of such transmission on our systems.

Access to and correction of personal information

18. Bennett & Philp is committed to and takes all reasonable steps in respect of maintaining accurate, timely, relevant, complete and appropriate information about our clients, web site users and other people that we deal with in our business.
19. Any individual may request access to personal information (including credit information) about them held by Bennett & Philp. Such a request for access to personal information is to be made to Bennett & Philp's Privacy Officer:

Bennett & Philp's Privacy Officer
GPO Box 463
BRISBANE QLD 4001

Reception Ph No: (07) 3001 2999
Email: privacy@bennettphilp.com.au

20. Please note Bennett & Philp does require that, as part of any request by an individual for access to personal information (including credit information), the individual verify their identity so that Bennett & Philp may be satisfied that the request for access is being made by the individual concerned.

21. Please note that Bennett & Philp is not required to give an individual access personal information (including credit information) about them in circumstances where:
- giving access would be unlawful; or
 - denying access is required or authorised by or under an Australian law or a court/ tribunal order; or
 - giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body.
22. Inaccurate information will be corrected by Bennett & Philp on receiving advice to this effect. To ensure confidentiality, details of an individual's personal information (including credit information) will only be passed on to the individual if we are satisfied that the information relates to the individual. From time to time, and having regard to the purpose of the collection and use of personal information (including credit information) about individuals, we may contact individuals to seek confirmation that the personal information provided to us by the individual is accurate, up-to-date and complete.
23. If we refuse to provide an individual with access to their personal information (including credit information) or to correct the personal information (including credit information) held by us about them, then we will provide reasons for such refusal. Such reasons will set out the grounds for refusal, the mechanisms available to complain about the refusal and any other matters that are required by the Act.
24. Bennett & Philp will respond to any requests for access or correction within a reasonable time of receipt of the request, but by no later than 30 days of the request being received.

Complaints

25. If an individual has a complaint that Bennett & Philp has not complied with its obligations under the Act then any such complaint should be directed in the first instance to Bennett & Philp's Privacy Officer at the contact details set out at clause 19 of this policy.
26. Upon receiving a complaint we will, within 7 days, give the complainant written notice acknowledging receipt of the complaint and setting out the process of how we will deal with it. Unless a longer time is agreed by the complainant, we will investigate the complaint and make a decision within 30 days of receipt of the

complaint and communicate the decision to the complainant. We aim to resolve all complaints within 30 days of receipt. If we cannot resolve a complaint within 30 days we will notify the complainant of the reasons and specify a date when we expect a decision or resolution will be made and seek the complainant's agreement to extend the 30 period – if the complainant does not agree then we may not be able to resolve the complaint.

27. It may be necessary (and it may be required by the Privacy Act), in order to deal with a complaint, to consult with third parties. Further, if, while a complaint remains unresolved, we are disclosing information subject to the complaint to a third party, we may be required to advise the third party about the complaint. However, given that any disclosures of personal information about an individual to other parties will generally be with the consent and/or authority of the individual, such a situation is difficult to envisage.
28. If we find a complaint is justified we will resolve it and do what is required to rectify any breach. Bennett & Philp is committed to fulfilling its obligations as an APP entity and a credit provider under the Privacy Act.
29. If a complainant is not satisfied with the outcome of Bennett & Philp's internal complaints procedure in respect of Bennett & Philp privacy practices then the complainant may refer their complaint to the Office of the Australian Information Commissioner ("OAIC"). The website for the OAIC is: www.oaic.gov.au.

Transfer of information overseas

30. Bennett & Philp will generally be unlikely to disclose personal information about individuals to overseas recipients. Personal information will only be disclosed by Bennett & Philp to overseas recipients in accordance with Australian Privacy Principle 8, such as in circumstances where the individual consents to the disclosure of the information to an overseas recipient or if the disclosure is required by Australian law.

Changes to Privacy Policy

31. If Bennett & Philp decides to or is required to change this Credit Reporting Privacy Policy, we will notify of such amendments on our web site and post changes on our privacy policy page so that users may be aware of any such changes and how they may affect them. As such, please remember to refer back to Bennett & Philp's privacy policy page regularly to check whether there are any amendments.

Contacting us

32. For further information regarding our privacy policies, please contact us at the following address:

Email: privacy@bennettphilp.com.au

33. For more information on privacy legislation and the CR Code please visit the website of the Office of the Australian Information Commissioner at www.oaic.gov.au.