**\ReadConfirmation1\**

**\ReadConfirmation2\**

**SOURCE FUNDING - PRIVACY POLICY & COLLECTION NOTICE**

Source Funding Pty Ltd ABN 95 622 815 294, Australian Credit License 510226 (**Source Funding**, **we, us** or **our**) is committed to complying with its obligations under the Privacy Act 1988 (Cth) and applicable regulations (the **Privacy Law**). We are a credit provider / lender.

You have received this policy because you are a borrower, mortgagor and / or guarantor in relation to a loan / loan application.

This privacy policy tells you how we collect personal information about you, what we use the ‘personal information’ for and who we share the personal information with.

The Privacy Law allows for personal information to be collected and used provided we obtain your consent.

In this policy and where appropriate a reference to ‘personal information’ includes ‘sensitive information’, ‘credit information’ and ‘credit eligibility information’ (each of these terms are defined in the Privacy Law).

**A. Anonymity & Pseudonymity**

You will not be able to stay anonymous if you are a borrower / mortgagor applicant or a guarantor as we are required by law to identify you.

**B. Information Security & Retention**

We take reasonable steps to protect all personal information which we holds, from misuse, loss, unauthorised access, modification or disclosure.

We store your hard copy and electronic records in secure buildings / systems or using trusted third parties. We use a range of physical, electronic and other security measures to protect the security, confidentiality and integrity of the personal information we hold.

We will generally keep your personal information for up to 7 years after you stop being a customer of ours, but there may be circumstances where we retain your personal information for longer. This may include for legal or regulatory reasons, to respond to a question or complaint from you or others or for internal research and analytical purposes.

**C. Marketing & Opt-Out**

We may also use personal information supplied for marketing and research purposes, to analyse and improve products and services and to inform you of products and services provided that we, our related entities or preferred suppliers provide.

You can ‘opt out’ of receiving marketing and advertising material at any time if you tell us that you do not wish to receive such material. We will respond to your ‘opt-out’ request within a reasonable time frame in accordance with the Privacy Law.

**D. Accessing Your Personal Information**

We will usually allow access to your personal information but may refuse access if:

* we have a lawful right to withhold the information;
* we believe that giving access may endanger the life, health or safety of any individual, or endanger public health or safety;
* giving you access would have an unreasonable impact on the privacy of other individuals;
* your request is frivolous or vexatious;
* your personal information is part of existing or anticipated legal proceedings between you and us.

You have the right to request the correction of any personal information which relates to you that is inaccurate, incomplete, out-of-date, not-relevant or misleading.

There are limited circumstances where you may be allowed to access personal information on behalf of another individual when you are acting as a personal representative of that person (such as an attorney under a power of attorney or an executor / administrator of a deceased estate). If this is applicable we may require evidence of your authority to act before we may supply any personal information.

There is no fee to request access to your personal information, but we may charge a fee to cover the time that we spend providing or procuring the personal information requested. This includes staff searching for, locating and retrieving the requested information. Staff deciding which personal information is relevant to the request, staff reproducing and sending the personal information, the postage or materials involved in giving access using an intermediary, if necessary. If there’s a fee, we will let you know how much it is likely to be, so you can decide whether you want to proceed.

We will try to respond to a request for access to or to correct your personal information within 30 days of request. If we cannot respond within this time frame, we will let you know why it’s taking longer to do so.

If we do not believe the information (you request) needs correcting, then (unless it is impracticable or the law prevents us from doing so) we will let you know the reason why. You can ask us to include a statement with the personal information that explains why you believe the personal information needs to be corrected (even if we don’t agree with your reason).

Any requests for access to your personal information or a request to correct your personal information should be made in writing to the Privacy Officer.

The Privacy Officer

Source Funding Pty Ltd

Postal Address: PO Box 6990 GCMC QLD 9726

Email: [info@sourcefunding.com.au](mailto:info@sourcefunding.com.au)

Tel: 02 9157 1102

If you require any further information about our management of personal information you can contact our Privacy Officer.

**Making a privacy complaint**

If you have a concern or complaint about how we have handled your personal information (including any refusal by us to allow access to or the correction of your personal information), please tell us and we’ll try to address it. To make a complaint, please contact the Privacy Officer (contact details above). We’ll try to respond to your complaint within 30 days of your complaint. If we need more time to respond we’ll let you know including the reasons why more time may be required.

If after completing our internal complaint process, you’re still not satisfied you may lodge a dispute through the Australian Financial Complaints Authority (**AFCA**).

AFCA provides consumers and small businesses with fair, free and independent dispute resolution for financial complaints.

Australian Financial Complaints Authority

Visit: [www.afca.org.au](http://www.afca.org.au)

Email: [info@afca.org.au](mailto:info@afca.org.au)

Phone: 1800 931 678 (free call)

Mail: Australian Financial Complaints Authority, GPO Box 3, Melbourne VIC 3001

You can also contact the Office of the Australian Information Commissioner if your complaint is about your privacy or how we handled your personal information.

Office of the Australian Information Commissioner

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

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Phone: 1300 363 992

Mail: GPO Box 5288, Sydney NSW 2001

**E. A Loan We Fund**

If you are a borrower / mortgagor or a guarantor in relation to a loan / loan application that we / we will fund the following section address how we collect, use and disclose your personal information.

#### Personal information we collect from you

We will, in relation to any loan / loan application, collect personal information from you. Most personal information we collect is collected from the loan application including supporting documentation supplied in relation to the loan application.

Examples of personal information that we collect includes:

* personal and contact details, this may include your name, address, email address, phone number, and date of birth;
* Australian Government related identifiers and identity documents, this may include your: tax file number and country of tax residency, Medicare card, Australian passport, driver licence, or pension card details, citizenship, birth, death and marriage certificates (for example, to verify your identity);
* foreign government identifiers and identity documents, this may include foreign government identity documents and identifiers such as: tax identification number and country of tax residency, foreign passport and driver licence (for example, to verify your identity at the time you request a product or service);
* financial information, this may include details of your employment, income, assets, financial liabilities, copies of bank statements and credit card statements from other financial institutions, information from third parties about your credit history and insurance claims history;
* credit information and credit eligibility information, See also “Sharing information with Credit Reporting Bodies” below;
* transaction information, this may include your past/current banking transaction history;
* socio-demographic information, this may include your marital status, age, gender, number of dependents, occupation and nationality;
* call recording, we usually monitor and record our calls with you for quality, coaching as well as for regulatory compliance purposes;
* sensitive information, we may collect and handle sensitive information. This may include race or ethnicity (for example we may ask you what language you speak if you request a translator to communicate with us), criminal history and political affiliation, if it is relevant for our regulatory and/or legal obligations including with respect to the Anti-Money Laundering Law, your health information including whether you have a disability if it is relevant to your loan / loan application;
* information about your personal circumstances, we may ask you to provide information about your personal circumstances so we can support you during financial difficulties. This may include information about significant life events (such as a relationship breakdown or a death in the family), information about family and domestic violence, where you have been impacted by an emergency event or a natural disaster, any unexpected changes to your financial situation (such as losing a job), details of injury, illness, gambling or addiction;
* If your loan application is approved, we will also collect personal information from the records we maintain about the products and services you receive / received. We can check and verify personal information collected from sources referred to in the loan application.

**Personal information collected from others**

We also collect personal information about you from other sources in any manner that does not contravene the Privacy Law. We will only collect personal information from other sources where it is reasonably necessary to do so, in relation to the loan application, the loan and any guarantee, including complying with our legal (including responsible lending) obligations under the National Consumer and Credit Protection Act 2009 (Cth) and applicable regulations.

Examples of personal information include:

* personal information (including commercial credit information concerning credit history or worthiness, consumer information and collection of overdue payments information either within or outside of Australia) from a Credit Reporting Body for any purpose described below;
* personal information about a loan application, loan or a guarantee for a loan from other organizations, such as other credit intermediaries and mortgage and title insurers;
* if we are unable to contact you and we obtains publicly available personal information about you in order to update our records / contact details;
* checking property details, your offer of any security, through public registers our service providers including a Credit Reporting Body;
* exchanging information with your legal, accounting and financial advisers or other representatives and advisors;
* if you have applied for a loan via a third party (for example the mortgage manager, mortgage broker or introducer), exchanging information with that third party.

#### When the law authorises or requires collection of personal information

There are laws that require us to collect and disclose personal information about you. For example, we are required to collect and disclose your personal information for assessment and verification (as well as ongoing monitoring) under the Anti-Money Laundering and Counter Terrorism Financing Act 2006 (Cth) and any rules, regulations or guidance notes made under or in connection with this law (“**Anti-Money Laundering Laws**”).

We are entitled to request personal information from you in regards to compliance with the Anti-Money Laundering Laws even if such information was previously requested and provided. You must comply with any request we make in this regard. If you do not provide the requested information we may be required to take steps, including delaying or refusing the processing of any loan application or withdrawal or disclosing information that we hold about you to its related bodies corporate, service providers or relevant government bodies and regulators including AUSTRAC. These steps will include having your identity information verified with the Issuer or Official Record Holder via the Credit Reporting Bodies systems for the purpose of verifying your identity.

#### How your personal information may be used and disclosed

We may disclose your personal information for purposes including:

* serving you as a customer including supplying you with information about loan products or related services;
* considering whether you are eligible for a loan or any related service you requested or to provide a guarantee;
* processing the loan application and providing you with a loan or related service;
* administering your loan or any related service, for example, to answer requests or deal with complaints;
* identifying and verifying your identify;
* to run its business efficiently and to perform administrative and operational tasks;
* if it is necessary in connection with preventing or investigating any fraud or crime or any suspected fraud or crime or we are required or compelled by law, to an enforcement body including the Australian Federal Police, a Police Force of a State or Territory, the Australian or NSW Crime Commission and the Australian Securities & Investments Commission;
* securitizing your loan (as part of a group of other loans) as part of loan funding arrangements (securitization is a funding technique used by us and other lenders to both manage and fund the loan programs) that may involve assigning, novating or otherwise dealing with all or any part of a lender’s rights and obligations under the loan agreement including any security (such as a mortgage or guarantee). Any dealing by us (as lender) in relation to a securitization transaction will not change your obligations under those documents;
* as required by any law, regulation or code binding on us; and
* any purpose to which you have consented.

We may use personal information about you to:

* enable an insurer to assess the risk of providing insurance;
* assess whether to accept a guarantor or the risk of a guarantor being unable to meet their obligations;
* conducting research, compiling or analyzing statistics, management and funding of its business;
* to consider hardship requests; and
* assess whether to securitise your loan (as part of a group of other loans) and to for the securitization of such loans (see our detailed explanation of securitization above).

#### F. Sharing Your Personal Information

The following section applies generally, including in relation to loans submitted directly and those submitted via a third party (for example a mortgage manager or mortgage broker).

**General**

We may use and share your personal information with other organisations for any purpose described in this policy.

**Sharing with your representatives and referees**

We may share your personal information with:

* your representative or any person acting on your behalf (for example, lawyers, settlement agents, accountants or real estate agents); and
* if you have applied for a loan via a third party (such as for example a mortgage manager or a mortgage broker) with that third party;
* your referees, such as your employer, to confirm details about you.

**Sharing with third parties**

We may share your personal information with third parties in relation to services we provide to you or services in which we reasonably consider you may be interested. Those third parties may include:

* lender's mortgage insurers;
* mortgage managers, mortgage brokers / introducers and other loan intermediaries;
* financial services suppliers with whom we have arrangements;
* property valuers;
* organizations that assist us to carry out identification / verification of identity checks;
* organisations, like fraud reporting agencies that may identify, investigate and/or prevent fraud; suspected fraud, crimes, suspected crimes, or other misconduct;
* government and regulatory bodies as required or authorised by law including, the Australian Securities and Investments Commission, the Australian Financial Security Authority and AUSTRAC. These government or regulatory bodies may also share the information with relevant foreign authorities;
* service providers, agents, contractors and advisers that assist us to conduct our business;
* guarantors and prospective guarantors of the loan;
* the Mortgage Ezy Group;
* any organization involved or connected with funding that we procure in order to make the loan available; including underlying funders and investors, special purpose funding entities, public trustees, credit rating agencies, interest rate hedging counterparties such as banks (that assist us to make fixed interest rate loans available) and liquidity facilities providers;
* any third party to which you consent to our sharing of your information.

**Sharing with Credit Providers, Credit Assistance Providers and other parties**

You can read the privacy policies and credit reporting policies of the credit assistance providers (e.g. mortgage managers, mortgage brokers and introducers) relevant to your circumstances.

These policies should contain information about how you can access and seek correction of personal information that they hold, how you can complain about a breach of the Privacy Laws by them and how they will deal with a complaint. The policies should also explain whether they will disclose personal information to overseas entities, including related entities, and the countries those recipients are located in.

**Sharing information with Credit Reporting Bodies**

We and the Lenders Mortgage Insurer can give to and receive from a Credit Reporting Body personal information (including credit information) about you including to allow a Credit Reporting Body to create or maintain a credit information file about you. Credit information is personal information that is about credit that has been provided to you or that you have applied for. This includes credit for personal purposes and credit in connection with a business. The definition can also including information about you as a guarantor of a loan or as an insured party under a credit related insurance policy (such as mortgage insurance).

When you apply to us for credit or propose to be a guarantor, we need to know if you’re able to meet your obligations under your agreement. We also want to avoid giving you further credit if this would put you in financial difficulty.

The personal (and credit) information may include:

* identification information including to have your identity information verified with the Issuer or Official Record Holder via the Credit Reporting Bodies systems for the purpose of verifying your identity;
* consumer credit liability information;
* repayment history information including details of any defaults;
* a statement that an information request has been made in relation to you by us or a Lenders Mortgage Insurer or trade insurer;
* the type of consumer credit or commercial credit, and the amount of credit, sought in an application that has been made by you, and in connection with which we have made an information request in relation to you, default information, payment information, new arrangement information, court proceedings information, personal insolvency information;
* publicly available information that relates to your activities in Australia or the external Territories and your credit worthiness and that is not court proceedings information about you or information about you that is entered or recorded on the National Personal Insolvency Index;
* in our opinion that you have committed, in circumstances specified by us, a serious credit infringement in relation to consumer credit provided by us to you.

A Credit Reporting Body may include information about you in reports that it gives other organisations (such as other credit providers and insurers) to help them assess your credit worthiness. In some cases a Credit Reporting Body may use your credit information for pre-screening your eligibility to receive direct marketing from us or other credit providers. If you do not want a Credit Reporting Body to do this, please contact the Credit Reporting Body.

Some of the information held by a Credit Reporting Body may reflect adversely on your credit worthiness, for example, where you fail to make payments or if you commit a serious credit infringement (like obtaining credit by deception / fraud). If information of this nature is held on your credit file then this will likely affect your ability to obtain or guarantee credit from other credit providers.

Currently we deal with the Credit Reporting Bodies disclosed in the Schedule. Each Credit Reporting Body also has a policy about how they handle personal information about. You should be able to obtain a copy of their policy by contacting them.

We will only share credit information about you with a Credit Reporting Body if that body has a business operation in Australia and is unlikely to share credit eligibility information with organisations that do not have business operations in Australia.

We use credit information to:

* confirm your identity;
* assess your credit application;
* manage credit provided to you;
* assist you to manage your credit related obligations and to consider any financial hardship requests;
* derive scores, ratings, summaries and evaluations relating to your credit worthiness which are used in our decision-making processes and ongoing reviews;
* help us collect overdue payments; and
* share information with Credit Reporting Bodies, where the law permits us to do so.

Identity fraud

If you believe that you have been or are likely to be a victim of fraud (including identity fraud) you can request a Credit Reporting Body not to use or disclose the information they hold about you for a prescribed (currently 21 day) period of time.

**Sharing information with the Mortgage Ezy Group**

We may share personal information about you with our related companies including entities within the Mortgage Ezy Goup (comprising Mezy Assets Pty Ltd t/a Mortgage Ezy ABN 56 606 554 321 Australian Credit Licence Number 494807, 7/42 Bundall Road, Bundall QLD 4217 Ph: 07 5554 3333 (Mortgage Ezy) & Mezy Operations Pty Ltd ABN 38 619 839 520, 7/42 Bundall Road, QLD 4217 Ph: 07 5554 3333 for the purposes stated in this Privacy Policy.

We have appointed Mortgage Ezy to supply to us, IT Infrastructure (which includes management of its ‘cloud’ storage systems), IT helpdesk support, software, phone systems and website and maintenance (the **Mortgage Ezy Services**). Some of these services may involve the use or disclosure of your personal information. We will take reasonable steps to ensure that Mortgage Ezy and other relevant entities within the Mortgage Ezy Group will comply with the Privacy Law. In any event, we are accountable for the use and disclosure of your personal information by Mortgage Ezy and other relevant entities within the Mortgage Ezy Group.

**Sharing outside of Australia**

We may only disclose your personal information to an overseas organisation for the purpose stated in this Privacy Policy. We will take reasonable steps to ensure that any overseas organisation that receives your personal information will comply with the Privacy Law. In any event, we are accountable for the use and disclosure of your personal information by any overseas organization.

When we share your personal information with Mortgage Ezy (in connection with the Mortgage Ezy Services), Mortgage Ezy may send your personal information overseas, mostly likely to The Philippines, where some the service providers we use are based.

**Electronic storage of personal information**

We may store your personal information in ‘cloud’ or other types of networked or electronic storage systems. These storage systems are managed by Mortgage Ezy in connection with the Mortgage Ezy Services. As electronic or networked storage can be accessed from various countries via an internet connection, it's not always practicable to know in which country your information may be held.

#### Information about other people

If you (or a third party acting for or on your behalf) supplies us with personal information about any other person:

* we are entitled to assume that you / they have sought the consent of the other people to the disclosure of the personal information to us;
* we have collected the personal information in relation to / to assess the loan application, to manage the loan and for any other purpose permitted under this policy;
* we may exchange the personal information with other organisations set out in this policy;
* we handle the personal information in the same way as set out in this policy and they can:
* access or request a copy of this privacy notice; or
* access the information we hold about them.
* We may not be able to supply services and you may not be able to obtain a loan or we may not accept a loan application unless we obtain the personal information of the other people.

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| **Schedule** |
| |  |  | | --- | --- | |  |  | | **Credit Reporting Body** | | | **Equifax Pty Ltd** address: Public Access Division, PO Box 966, North Sydney NSW 2059, Telephone: *1300 762 207* (8:30am – 6:00pm Monday – Friday) Website: [www.equifax.com.au](http://www.equifax.com.au) *; (*credit reporting policy) <https://www.equifax.com.au/credit-reporting-policy>  **Illion** - (previously Dun & Bradstreet) PO Box 7405 St Kilda Melbourne VIC 3004 Ph: 1300 734 806  (privacy policy) <https://www.illion.com.au/privacy-policy/> (credit reporting policy) <https://www.illion.com.au/illion-credit-reporting-policy-australia/>  **Experian Australia Credit Services Pty Ltd** - Level 6, 349 St Kilda Road, Melbourne VIC Ph: 03 8699 0100 <http://www.experian.com.au/privacy-policy> | | |
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By signing this document, you also declare that you are over the age of 18 years and that the information contained in the application is true and correct in every particular and it is upon this basis that you make the application for credit or guarantee. You also confirm your agreement to the matters set out in this privacy notice and consent.

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| **EXECUTED** by **<<Bordetallnames>> ACN <<BORDET1ACN>> as trustee for <<bordet1trustname>>** | )  )  )  ) |  |
| \ \  signature1 |  |
| Signature of sole director/company secretary |  |
| **<<Guarantor2FullName>>** |  |
| Name of sole director/company secretary |  |
| Date /Sig1Date/ |  | Date /Sig2Date/ |

|  |  |  |
| --- | --- | --- |
| \signature1\ |  | /Sig1Date/ |
| **<<Guarantor2FullName>>**  **(Guarantor)** |  | Date |