

# Privacy & Credit Reporting Policy

September 2020

Dnister Ukrainian Credit Co-operative Limited (ABN 59 087 651 394) AFSL and Australian Credit Licence 240673 ('Dnister', 'Co-operative', 'we', 'us', 'our') respects the privacy rights of our Members and is bound by:

- The Privacy Act 1988 (Cth) (Privacy Act);
- The Privacy (Credit Reporting) Code (CR Code);
- The Privacy Amendment (Enhancing Privacy Protection) Act 2012;
- The Privacy Amendment (Notifiable Data Breaches) Act 2017;
- The Australian Privacy Principles;
- The privacy and confidentiality provisions contained in the Customer Owned Banking Code of Practice;
- The Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) (AML/CTF Act);
- The Banking Executives Accountability Regime (BEAR);
- Tax Administration Act 1953;
- Division 396 of the Tax Administration Act 1953 (Common Reporting Standard) (CRS);
- Foreign Account Tax Compliance Act (FATCA); and
- National Consumer Credit Protection Act 2010.

As a financial services organisation, the Co-operative has a long history of handling personal information confidentially. We treat very seriously the ongoing trust you have in us to protect your personal information.

We have systems and procedures in place to protect your privacy whenever we collect, store, and use or disclose your personal information.

The Co-operative Privacy & Credit Reporting Policy (Policy) explains how we protect your privacy, including:

- the importance of your consent before we collect from or disclose your personal information to third parties;
- how we respect your privacy in the course of using your personal information;
- how your privacy is protected when you access our websites via the Internet; and
- the handling of credit information, credit eligibility information and related information.

This Policy outlines how we deal with your personal information and 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 Policy, the provision of that agreement will prevail to the extent of any inconsistency.

The Privacy Act allows the Co-operative and other applicable persons to collect, use and disclose personal information about you when related to the primary purpose for which it was collected and for related secondary purposes that you would reasonably expect.

You have the right, where it is lawful and practicable, of remaining anonymous when entering into transactions with the Co-operative. However, should you choose to remain anonymous we may not be able to provide you with our products and services.

## 1. Key types of information we collect and hold

Before, during or after the provision of our products and services to you, we may collect your personal information for the purposes of providing products and services to you and managing our business. When providing credit to you, this may include assessing your application for consumer or commercial credit or to be a guarantor, assessing your credit worthiness, managing your loan or the arrangements under which your loan is funded or collecting overdue payments.

Some laws require us to obtain personal information about you before we provide you with particular products or services or process particular transactions in which you are involved – e.g. laws relating to anti-money laundering and counter-terrorism financing, consumer credit, taxation and real property transactions.

If you do not provide us with the personal information that we request, we may not be able to consider your application for credit or provide other services.

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

"Personal information" means information or an opinion about an identified individual or an individual who is reasonably identifiable. Although we try to make sure that all information we hold is accurate, "personal information" also includes any inaccurate information about an 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 and address, that we may use to identify that individual
- information about an individual's current or terminated consumer credit accounts and their 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 Policy.

"Credit-related information" means credit information, credit eligibility information and related information.

## **2. How we collect your personal information**

Wherever possible, we will collect personal and credit-related information directly from you. This information will generally come from what you provide in or with your application for one of 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 and 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.

### **3. Use of your personal information**

We may use your personal and 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 services to you;
- executing your instructions;
- charging and billing;
- uses required or authorized 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; and
- direct marketing with your consent, and subject to your rights to unsubscribe or opt-out.

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

- a purpose set out in this 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.

### **4. Your consent is important**

We may also disclose your personal information (including credit-related information) to an individual or an organisation (a 'third party') if:

- 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 can be express or implied.

You imply consent when we can reasonably conclude that you have given consent by some action you take, or when you decide not to take action.

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 do anything else which enables the third party to obtain access to the information.

For example, if you use our digital banking service and continue the process by acknowledging and accepting the terms and conditions by clicking the “I accept” button, you have given us your implied consent for the use of the service.

We rely on your implied consent to use and disclose identifying information about you to the Co-operative’s service providers, such as disclosing your name and account number to a printer to personalize your cheque book, or to produce an access card. Naturally, the confidentiality of your personal information is still maintained.

If you do not consent to certain uses of personal information, we may not be able to provide you with a particular product or service.

## **5. Unsolicited information**

Where you provide us with unsolicited personal or sensitive information, we may use this information to determine your eligibility for our products and services. We may choose to de- identify and destroy this information if we consider it is not relevant or otherwise not required to be retained by us in accordance with the law and where it is otherwise reasonable to do so.

## **6. Disclosure of your personal information**

We may disclose your personal and credit-related information to other organisations, for example:

- external service providers to us, such as organisations which we use to verify your identity, payment systems operators, printing and mailing houses and research consultants;
- other financial institutions, for example, when you apply for a loan from another credit provider and you agree to us providing information, and their professional advisors;
- 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;
- organisations involved in surveying or registering a security property, or which otherwise have an interest in a security property;
- our professional advisers, such as accountants, lawyers and auditors;
- state or territory authorities that give assistance to facilitate the provision of home loans to individuals;
- 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 adviser or attorney, as authorised by you;
- your administrator, trustee, guardian or power of attorney, your employer, referees and other person to the extent deemed necessary by the Co-operative in order to deliver any instructions you give us; or
- if required or authorised by law, to government and regulatory authorities; for example, where the Member is a tax resident of a country other than Australia, disclosing the relevant tax information number and details to the Australian Taxation Office.

In addition, in connection with providing credit to you, we and the Credit Providers mentioned below, may:

- obtain a commercial and consumer credit report containing personal information about you from a credit reporting body;
- obtain personal information about you from your employer and any referees that you may provide;
- exchange credit information about you with each other; and

- exchange credit information about you with any credit reporting body and any other provider of credit to you named in your credit application or a credit report from a credit reporting body.

#### **Credit Providers can mean:**

- us;
- any lenders mortgage or trade insurer in the event that the Co-operative decides to obtain lenders mortgage insurance or trade insurance in relation to your loan application; and
- other entities that may be involved in a securitisation or shared lending arrangement which we use to fund your loan either through securitisation of your loan or sharing with other credit union(s), including without limitation other credit providers and any loan origination.

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.

#### **Overseas disclosures**

We will not disclose your personal information to overseas recipients. However, if we do disclose information to overseas recipients, we will do so on the basis that the information will be used only for the purposes as requested by you.

We do not disclose personal information overseas otherwise than as required by law.

#### **Important information about credit reporting bodies**

If you apply for or hold any kind of credit with us, we may disclose information to that credit reporting body. That includes disclosing that you are in default under a credit agreement or have committed a serious credit infringement, if that is the case. Specifically, we may disclose information to or collect information from Equifax Pty Ltd (Equifax), whose privacy policy and contact details are at [www.equifax.com.au](http://www.equifax.com.au). 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.

When credit reporting information or credit eligibility information is disclosed to another credit provider, a record must be maintained as follows, for at least 5 years, of:

- the date of disclosure;
- a brief description of the type of information disclosed;
- the credit provider to whom the disclosure was made;
- evidence that disclosure was permitted.

“Credit pre-screening” is a service for credit providers wishing to send direct marketing material about credit services. A credit reporting body uses information it holds to screen out individuals who do not meet criteria set by the credit provider. Credit reporting bodies must maintain a confidential list of individuals who have opted out of their information being used in pre-screening. To opt out of credit pre-screening, contact the credit reporting body, using the contact details on their website referred to above.

You can ask a credit reporting body not to use or disclose your personal information for a period if you believe on reasonable grounds that you have been or are likely to be a victim of fraud, including identity fraud.

#### **Disclosure to insurers**

In connection with providing credit to you, a lenders mortgage insurer or a registered trade insurer may obtain credit information about you from a Credit Provider or from a credit reporting body to assess

whether to provide lenders mortgage insurance to us in relation to an application for consumer credit, or whether to provide trade insurance to us in relation to an application for commercial credit.

### **Disclosure to Guarantors**

In connection with providing credit to you, the Credit Providers may give a guarantor, or a person who is considering becoming a guarantor, credit information about you for the purpose of enabling the guarantor to decide whether to act as guarantor or to keep informed about the guarantee.

### **Personal information about third parties**

You represent that, if at any time you supply us with personal information about another person (for example a referee), you are authorised to do so; and you agree to inform that person who we are, how to contact us, how to obtain our Policy, and that we will use and disclose their personal information for the purposes set out in this Policy and that they can gain access to that information.

## **7. Sensitive information**

Only where it is necessary to do so, we may collect personal information about you that is sensitive. Sensitive information includes information about your individual 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.

All employees sign confidentiality agreements as a condition of their employment at the Co-operative.

## **8. Refusal of credit applications**

We may refuse an application for 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.

## **9. Security**

We take all reasonable steps to ensure that your personal and credit-related information held on our website or otherwise, is protected from:

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

Your personal information may be held by us in paper or digital form. All personal information is stored within secure systems which are in controlled facilities. There are restrictions on who may access personal information and for what purposes. Our employees, contractors, service providers and authorised agents are obliged to respect the confidentiality of personal information held by us.

If we suspect or believe that there has been any unauthorised access to, disclosure of, or loss of, personal information held by us, we will promptly investigate the matter and take appropriate action, and we will comply with any obligations in relation to notifiable data breaches that are in force under the Privacy Act.

We maintain physical security over our paper and digital data stores and premises using locks and security systems. We also maintain computer and network security; for example, we use firewalls (security measures for the Internet) and other security systems such as user identifiers and passwords to control access to computer systems.

We ask you to keep your passwords and personal identification numbers 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 'disclosure' references above). You should never provide or disclose any of your passwords 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.

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.

### **Data breach**

An "eligible data breach" involves unauthorized access, disclosure or loss likely to result in serious harm to any individual to whom the information relates. Subject to exceptions, such a breach requires notification to the Office of the Australian Information Commissioner and any individual whose information is compromised or who is at risk of serious harm as a result.

## **10. Website & Electronic Correspondence**

This section explains how we handle personal and credit-related information collected from 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 may also include 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.

### **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 but doing so might prevent you from accessing the secured pages of our website.

### **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.

Due to security risks inherent in using email, members should not provide their access card numbers via email to us under any circumstances. Doing so will result in the card being cancelled and re-issued.

## **Security**

We use up-to-date security measures on our website to protect your personal and credit-related information. Any data containing personal, credit or related information which we transmit via the internet is encrypted, and email scanning software is used to protect personal information. 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.

## **Links on our website**

Our website may contain links to third party websites. The terms of this 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.

### **11. Electronic verification**

Under the AML/CTF Act, we can disclose your name, residential address and date of birth for verification purposes to an independent electronic data source, such as a credit reporting body. The purpose of this disclosure is to ask the credit reporting body to assess whether the personal information disclosed matches (in whole or in part) personal information about you held in their records (if any). This electronic verification process helps us to verify your identity.

The credit reporting body may prepare and provide us with an assessment by using the personal information about you and the names, residential address and dates of birth contained in its records about other individuals.

In providing this information, you consent to the collection, use and disclosure of the personal information and understand that if incomplete or inaccurate, an application may not proceed.

If you do not consent to us verifying your identity by electronic verification, we will provide you with an alternate verification process to identify you. If this is the case, please contact us on 1800 353 041 for further information.

### **12. Access**

You may request access to the personal and credit-related information that we hold about you at any time from our Privacy Officer whose details are in section 17 of this 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.

### **13. Accuracy and Correction**

We take reasonable steps to make sure that the personal and credit-related information that we collect, hold, 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 immediately contacting our member service teams or our Privacy Officer and we will correct it.

### **14. Marketing**

We may use your personal information, including your contact details, to provide you with information about products and services, including those of third parties, which we consider may be of interest to you. We are permitted to do this while you are our Member, and even if you are on the Do Not Call Register.

We may also provide your details to other organisations for specific marketing purposes.



We will consider that you consent to this, unless you opt out. You may opt out at any time if you no longer wish to receive marketing information or do not wish to receive marketing information through a particular channel, like email. In order to do so, you will need to request that we no longer send marketing materials to you or disclose your information to other organisations for marketing purposes. You can make this request by contacting our Privacy Officer or by 'unsubscribe' from our email marketing messages, which always include an unsubscribe option.

## **15. Changes to the Privacy Policy**

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

## **16. Questions and complaints**

If you have any questions, concerns or complaints about this Policy, or our handling of your personal and credit-related information, please contact our Privacy Officer. 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, the Privacy Officer will respond to you as soon as possible. We will deal with your complaint under our Internal Dispute Resolution Policy. We will provide you with our Complaints & Dispute Resolution Guide. 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 which is our external dispute resolution scheme, or 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.

Australian Financial Complaints Authority (AFCA)  
GPO Box 3, Melbourne, Vic 3001  
Telephone: 1800 931 678

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

or

Office of the Australian Information Commissioner  
GPO Box 5218 Sydney NSW 2001  
Telephone: 1300 363 992  
Website: [www.oaic.gov.au](http://www.oaic.gov.au)

## **17. Privacy Officer**

Privacy Officer's contact details are:  
The Privacy Officer  
Dnister Ukrainian Credit Co-operative Ltd  
P.O. Box 279,  
Essendon VIC 3040  
Telephone: 1800 353 041 (during normal business hours)  
Email: [info@dnister.com.au](mailto:info@dnister.com.au)

## **18. Disclaimer**

This Policy is provided for the purposes of information only. While we have taken care to ensure that it is accurate and current, we provide no guarantee as to its accuracy or currency. We accept no liability for loss or damage suffered as a result of reliance on the information provided in this Policy.