

PRIVACY POLICY

Date of Publication – November 2019

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Privacy Policy (Policy)

Payton Capital Limited (ACN 163 122 478), together with its subsidiaries, form the Payton Group (**Payton**).

This Policy sets out how Payton collects, holds and discloses your personal information. This Policy also includes credit eligibility information such as credit reporting information that we obtain from credit reporting bodies, information that we derive using it, such as a credit score, and information that we disclose to a credit reporting body in relation to your credit application or credit facility you hold with us (**credit-related information**).

We will collect and manage your personal information with a high degree of diligence and care. We recognise the importance of protecting your privacy, and are committed to ensuring the continued integrity and security of your personal information. Our aim is to comply with Australian Privacy Laws, including the Australian Privacy Principles.

What information do we collect from you?

The types of personal information that we collect and hold about you could include:

- Your name, address, contact details (including phone, e-mail) and date of birth
- Financial details such as your tax file number, tax returns, ATO portals, and company financial statements
- Transactional information and account information
- In relation to borrowing clients, credit-related information such as credit history, credit capacity, and eligibility for credit

When we're checking your credit worthiness, we will collect information about you from, and give it to, credit reporting bodies. This information can include:

Information request:	<ul style="list-style-type: none">• Where we ask a credit reporting body for information in relation to a credit application, including the type and amount of credit applied for
Default information:	<ul style="list-style-type: none">• Where your consumer credit payments may be overdue
Serious credit infringement:	<ul style="list-style-type: none">• When a lender reasonably believes that there has been a fraud relating to your consumer credit• You may have avoided paying your consumer credit payments• A credit provider can't find you
Personal insolvency information:	<ul style="list-style-type: none">• Bankruptcy• Entry into a debt agreement• Personal insolvency agreement
Court proceedings information:	<ul style="list-style-type: none">• Australian court judgment relating to your credit
Publicly available information:	<ul style="list-style-type: none">• Relating to your activities in Australia and your credit worthiness
Repayment history information:	<ul style="list-style-type: none">• Whether or not you've made monthly consumer credit payments• When they were paid
Payment information:	<ul style="list-style-type: none">• If a lender gave a credit reporting body default information about you; and the overdue amount is paid, a statement that the payment has been made
New arrangement information:	<ul style="list-style-type: none">• If a lender gave a credit reporting body default information about you and your consumer credit contract is varied or replaced, a statement about this

As part of our business operations, we also collect personal information from other individuals such as Trustees, Directors and Shareholders. Where you are not a customer of ours you may still seek confirmation as to whether we hold information in relation to you.

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We may collect information from you because we are required by Australian law to collect that information, examples include:

- Anti-Money Laundering and Counter-Terrorism Financing laws
- Income Tax Assessment Act 1936 (Cth)
- PEXA land registry

What if you don't want to provide us with your personal information?

If you don't provide your personal information to us, we may not be able to:

- Provide you with the product or service you want
- Manage or administer your product or service
- Verify your identity or protect against fraud
- Let you know about products or services you may want to invest in

You may choose to communicate or interact with us anonymously or by using a pseudonym. Please be aware that this may reduce our ability to interact with you. In some circumstances we are governed by strict regulations that require us to know who we're dealing with. In general, we won't be able to deal with you, other than to answer general enquiry type questions, anonymously or where you are using a pseudonym.

How do we collect your information?

We usually collect personal information directly from you. Sometimes we collect or confirm this information from a third party such as a credit reporting body. We will use reasonable efforts to obtain your consent prior to contacting a third party for this purpose.

We will collect your credit-related information from details included in your application for credit (whether paper based, phone or electronic). In addition, other sources for collecting credit information are:

- Credit reporting bodies and other credit providers
- Co-loan borrowers, as well as your guarantors/proposed guarantors;
- Your employer, accountant, real estate agent or other referees
- Your agents and other representatives like your referrers, brokers, solicitors, conveyancers and settlement agents
- Organisations that check the security you are offering such as valuers
- Businesses that issue identification documents to help us check your identity

Sometimes we collect information about you from other sources. We may collect information about you that is publicly available (for example from public registers or social media) or made available by third parties. For instance, we do this where:

- We can't get hold of you and need to update your contact details
- We need information from third parties about an application you make through us
- We need information for fraud prevention purposes
- We are checking the security you are offering
- At your request, we exchange information with your legal or financial advisers or other representatives

What do we do when we get information we didn't ask for?

Where we receive unsolicited information, we will check whether that information is reasonably necessary for our functions or activities. If it is, we'll handle this information the same way we do with other information we seek from you. If not, we'll ensure we do the right thing and destroy or de-identify it.

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How do we use your information?

We may use your personal information to:

- Consider your request for products and services, including your eligibility
- Process your application and provide you with products and services
- Identifying you or verifying your authority to act on behalf of a client
- Administer products and services which includes answering your requests and complaints, varying products/services, conducting market research, taking any required legal action in relation to our accounts and managing our relevant product portfolios
- Comply with any legal or regulatory obligations imposed on us
- Identifying opportunities to improve our service to you
- Determining whether a beneficiary will be paid a benefit
- Allowing us to run our business and perform administrative and operational tasks (such as training staff, risk management, internal audit investigations, performance reporting, developing and marketing products and services, undertaking planning, research and statistical analysis, and systems development and testing)
- Preventing, detecting or investigating any fraud or crime, or any suspected fraud or crime
- As required by law, regulation or codes
- For any purpose for which you have given your consent

We may also use your personal information to tell you about other financial products and services we think you may be interested in. You can opt out of receiving this information (see below **You can opt out of product promotions**).

We do not sell your personal information to third parties.

We may use and disclose your credit-related information in order to:

- Assess your credit application
- Assess your suitability as a guarantor for a credit facility
- Assist with collection of overdue payments
- Assess suitability to securitise loans
- Derive scores, ratings, summaries and evaluations relating to your credit worthiness which are used in our decision-making processes and ongoing reviews
- Participate in the credit reporting system and providing information to credit reporting bodies as permitted by the credit reporting laws
- Deal with complaints and assist other credit providers to do the same

Who do we disclose your information to?

We may disclose your personal information to third parties, including:

- Approved third parties who are authorised to assess the validity of identification information
- Brokers or referrers who refer your application or business to us
- Other financial institutions, such as banks, as well as guarantors and prospective guarantors of your facility
- Organisations involved in debt collecting
- Fraud reporting agencies
- Service providers that assist with fraud detection and prevention
- Organisations involved in surveying or registering a security property or which otherwise have an interest in such property
- Any party involved in securitising your facility
- Service providers that maintain, review and develop our business systems, procedures and technology infrastructure, including testing or upgrading our computer systems
- Payments systems organisations including merchants, payment organisations and organisations that produce statements for us
- Organisations that assist with our product planning, analytics, research and development
- Media or marketing organisations who assist us to communicate with you, including media or social networking sites
- Other organisations involved in our normal business practices, including our agents and contractors, as well as our accountants, auditors or lawyers and other external advisers
- Government or regulatory bodies (including the Australian Securities and Investment Commission and the Australian Tax Office) as required or authorised by law (in some instances these bodies may share it with relevant foreign authorities)
- Where you've given your consent or at your request, including to your representatives, or advisors

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Our agreements with these entities ensure this information is only used to carry out functions on our behalf.

We may obtain credit-related information about you from a credit reporting body and may disclose your credit-related information to credit reporting bodies. Credit reporting bodies may include credit-related information provided by us in reports provided to other credit providers to assist them to assess your credit worthiness. Each credit reporting body has a policy for managing your credit-related information that you may access by contacting them. We share credit-related information with the following credit reporting body:

Equifax

PO Box 964

North Sydney NSW 2059

Public Enquiries: 1300 762 207

Website: www.mycreditfile.com.au

Where permitted by law, we may also share credit-related information with other third parties, including:

- Other credit providers
- Intermediaries including introducers, financial advisers, accountants, lawyers or other intermediaries acting in connection with any credit application
- Current or prospective guarantors in relation to credit we are providing to you
- Government agencies
- Organisations involved in debt collection

We may disclose personal information to a service provider, if requested by you. Where we disclosed your information to a third party at the request of a service provider nominated by you, the use of your personal information by that party is governed by their privacy policy. You should contact them to understand how they might use your personal information.

If you believe that you have been or are likely to be the victim of fraud (including identity fraud), you can request a credit reporting body not to use or disclose the information they hold about you. If you do this, the credit reporting body mustn't use or disclose the information during an initial 21-day period without your consent (unless the use or disclosure is required by law). This is known as a **ban period**. If, after the initial 21-day ban period, the credit reporting body believes on reasonable grounds that you continue to be or are likely to be the victim of fraud, the credit reporting body must extend the ban period as they think reasonable in the circumstances. The credit reporting body must give you a written notice of the extension.

Do we send your information overseas?

In some cases, we may need to share some of your information with organisations outside Australia. For example, when you instruct us to carry out a transaction such as a telegraphic transfer to or from an overseas country, or when we use service providers located overseas to perform a function on our behalf. When we share your information with organisations overseas, we ensure appropriate data handling and security measures are in place.

We run our business in Australia, however we do maintain professional relationships with international investors. We may need to share some of your information (including credit information) with Investors outside Australia.

We are not likely to share credit eligibility information (that is, credit information we obtain about you from a credit reporting body or that we derive from that information) with organisations unless they have business operations in Australia.

We store your information in cloud or other types of networked or electronic systems. As electronic or networked systems can be accessed from various countries via an internet connection, it's not always practicable to know in

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which country your information may be held. If your information is stored in this way, disclosures may occur in countries other than Australia.

If your tax residency is outside of Australia, we are required, by law, to provide information to the Australian Tax Office which may be shared with overseas government agencies.

How can you access and correct your information?

In most cases, you can access your personal information held by us. If you believe the personal information we hold about you is inaccurate, out of date or incomplete, you should contact us (see below **Contacting us**) and we will promptly update your personal information. In some cases, we may request you provide us with supporting documentation to amend the personal information we hold about you.

If we do not agree that your information is inaccurate, out of date or incomplete, we will give you a written notice including the reasons why we do not agree with you and how you can make a complaint.

You can opt out of product promotions

You can opt out of receiving direct marketing material, at any time, by contacting us (see below **Contacting us**). If you do opt out, we will continue to provide information in relation to your existing accounts or facilities only.

How do we take care of your personal information?

We store information in different ways, including in paper and electronic form. We will take reasonable steps to keep your personal information secure to ensure that it is protected from loss, unauthorised access, use, modification or disclosure. Your personal information is stored within secure systems that are protected in controlled facilities. Some of the ways we do this are:

- Confidentiality agreements and privacy training of our employees
- Document storage security
- Security measures to control access to our systems and premises
- Only giving access to personal information to a person who is verified to be able to receive that information
- Ensuring third parties meet our privacy obligations
- Electronic security systems, such as firewalls and data encryption

We store personal information electronically with third party data storage providers. Where we do this, we use contractual arrangements to ensure those providers take appropriate measures to protect that information and restrict the uses to which they can put that information.

What happens when we no longer need your information?

We're required to keep some of your information for certain periods of time under law. When we no longer require your information for our purposes, we'll take reasonable steps to destroy or de-identify your information.

To our Employees

With respect to Payton employees (both current and former, including contractors), we collect your Personal Information as part of your employment and/or engagement with us. The types of Personal Information we collect may include:

- Identifying information (e.g. date of birth, contact details)
- Qualifications and experience

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- Information relating to your current or former employment
- Background checks and employment screening information including whether you may have a criminal record
- Your training, performance, conduct, discipline, resignation or termination
- Professional Memberships
- Leave details
- Taxation, banking and superannuation
- Photographs, videos and images

We collect your Personal Information under various laws including the Fair Work Act, Superannuation Guarantee (Administration) Act, Superannuation Industry (Supervision) Act, taxation legislation and Australian Prudential Regulation Authority Act.

We use your Personal Information for all purposes relating to your employment including:

- Assessing your suitability
- Engagement and training
- Discipline
- Payroll and superannuation
- Health and safety
- Insurance (including WorkCover)
- Administration and staff management purposes
- Internal and external publications
- Other purposes that we may notify to you

We may disclose your Personal Information to:

- Law enforcement and background checking or employment screening agencies
- Educational or vocational organisations to verify your qualifications
- Our service providers including providers of online services, recruitment, payroll, banking, staff benefits and training services

Job Applicants

We collect Personal Information as part of your employment application including your:

- Qualifications
- Experience
- Professional memberships
- Achievements
- Work history

We use your Personal Information for purposes including:

- Assessing your application
- Assessing you for a position with us
- Storing your information for future job opportunities

We may disclose your Personal Information with:

- Recruitment agencies
- Online service providers
- Organisations that conduct competency or psychometric tests
- Referees
- Current and previous employers
- Law enforcement and background checking or employment screening agencies
- Educational or vocational organisations to verify your application details

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Privacy concerns or complaints

If you have concerns or wish to make a complaint regarding the handling of your personal information by us, please contact our Legal & Compliance Manager on 03 9866 5811 or admin@payton.com.au. We will promptly investigate your complaint and notify you of the outcome.

If you are not satisfied with the response provided, you have the option of referring your complaint to:

Australian Financial Complaints Authority

GPO Box 3
Melbourne VIC 3001
Phone: [1800 931 678](tel:1800931678)
Email: info@afca.org.au
www.afca.org.au

Office of the Australian Information Commissioner

GPO Box 5218
Sydney NSW 2001
Phone: [1300 363 992](tel:1300363992)
Email: enquiries@oaic.gov.au
www.oaic.gov.au

Contacting us

If you have any questions about our Policy, what personal information we may hold in relation to you, or about the way we manage your personal information you can contact us as follows:

Payton Capital

Legal & Compliance Manager
Level 27, 60 City Road
Southbank VIC 3006
Phone: 03 9866 5811
Email: admin@payton.com.au

Changes to this policy

From time to time, it may be necessary for us to review and update our Policy. We recommend you check our website to note when the Policy was last updated.

Further information about privacy

You can find more information about privacy (including information about specific issues, answers to frequently asked questions and links to the 13 Australian Privacy Principles) on the Office of the Privacy Commissioner's website at <http://www.oaic.gov.au/>