

PRIVACY AND SPAM NOTICE AND CONSENT

TO BE SIGNED BY ALL APPLICANTS AND/OR GUARANTORS WHERE PARTIES ARE INDIVIDUALS

In this document "we", "us" and "our" refers to:

- the entity who collects or on whose behalf your Personal Information is collected, being **Multi Finance Pty Ltd ABN 47 605 374 169, Agile Capital Pty Ltd ABN 25 101 279 458, CAFG Australease Pty Ltd ABN 51 002 306 836, Capital Finance Australia Limited ABN 23 069663136**; and
- any disclosed or undisclosed principal on whose behalf **Multi Finance Pty Ltd, Agile Capital Pty Ltd, CAFG Australease Pty Ltd** may act as agent ("Principal"), and any of their Related Bodies Corporate.

The *Privacy Act 1988* (Cth) ("**Act**") regulates the way in which we may collect, hold, use and disclose Personal Information about you.

Your privacy rights are important to us. The purpose of this document is to notify you of various privacy matters including the types of Personal Information we collect and how we hold, use and disclose that Personal Information.

This document also contains important consents that you give to us.

You should therefore read this document carefully before signing it.

Terms Used in this Document

In this document:

"**APPs**" means the "Australian Privacy Principles" in the Act.

"**CR Code**" means the registered Credit Reporting Privacy Code and any other code approved under the Act by which we are bound, from time to time.

"**Credit Eligibility Information**" has the meaning given to that term in the Act and includes information disclosed to us by a Credit Reporting Body and information we derive from it.

"**Credit Information**" has the meaning given to that term in the Act and includes:

- your identification details;
- information about your account;
- whether your account is open or closed and the relevant dates;
- the type (such as a lease or loan) and amount of credit; and
- your repayment history information, such as whether you have made, or missed, a payment on your credit facility.

"**Credit Reporting Body**" has the meaning given to that term in the Act.

"**Personal Information**" has the meaning given to that term in the Act and includes sensitive information and credit-related information, such as Credit Information and Credit Eligibility Information.

"**Related Bodies Corporate**" has the meaning given to that term in the *Corporations Act 2001* (Cth).

"**you**" or "**your**" includes a reference to you in your capacity as borrower, guarantor, or a current or a former customer.

Collection and storage of Personal Information

The types of Personal Information we may collect and handle include identity and contact details (such as names and contact information), your financial circumstances and credit history details and other credit-related information (such as products and transactions you may have with us or other credit providers) and, in some circumstances, sensitive information (in particular health information) where it is necessary for us to provide a credit product or a service.

Generally we collect your Personal Information directly from you. However in some circumstances we may collect Personal Information about you through or from other third parties. For example, these can include Credit Reporting Bodies, other credit providers, publicly available sources and where relevant, your accountant, finance broker or dealer. Such circumstances may include where we seek to obtain information about your finance with other credit providers or to verify details provided in an application for credit.

We may also confirm:

- your employment and income details from any employer, accountant or tax agent named in your application; and
- your income received on an investment property from any

nominated real estate agent.

Purpose of Collection and Use

We collect, hold, use and disclose only that Personal Information about you which is reasonably necessary for the purposes of your dealings with us or the conduct of our business (including as authorised or required by applicable laws). These purposes may include:

- to verify your identity (including when we are required by law to do so);
- to assess your application for personal or commercial credit and/or credit worthiness and/or to become a guarantor, and where your application is made in relation to a master credit facility, assess any subsequent applications that may be made for credit under that facility;
- to administer any credit facility which is subsequently provided by us including managing any account in connection with the credit facility, administering insurance claims, recovering any money owed to us, maintaining the value and protecting any assets provided as security for any obligations under the credit facility and for use in connection with the outsourcing of any of our functions;
- to assist you to avoid defaulting on your credit obligations;
- to notify other credit providers of any default by you with us;
- to comply with laws that may require or authorise us to obtain information about you, such as the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and other anti-money laundering legislation (for example, for identity verification), the National Consumer Credit Protection Act 2009 (Cth), the Personal Property Securities Act 2009 (Cth) (for example, if relevant, for search and registration purposes) and other regulatory legislation (for example, requiring us to maintain client and transaction records and to make reports and provide other information to regulators) and the Taxation Administration Act 1953 (Cth), the Income Tax Assessment Act 1936 and 1997 (Cth) and other taxation laws (for example, to comply with information requests issued by the Commissioner of Taxation);
- to the extent required or permitted by any applicable domestic or foreign law, rule or regulation regarding reporting and/or retention of information or to the extent required by any order or directive regarding reporting and/or retention of information issued by any domestic or foreign authority or body or agency in accordance with which we are required or accustomed to act;
- to facilitate our internal business operations, including fulfilment of confidential systems maintenance and testing; and
- any other purposes described in our Privacy and Credit Reporting Policies.

If you do not provide us with the Personal Information requested, we may be unable to assess an application for the provision of consumer or commercial credit that you are (or if you are to become a guarantor and/or a security provider, that the applicant is) seeking.

Disclosure of Personal Information

The types of persons to whom we usually disclose Personal Information for the purposes described in this document include:

- our Related Bodies Corporate;
- Credit Reporting Bodies;
- government departments, agencies, regulators and authorities;
- insurers and underwriters;
- current or prospective guarantors;
- agents and contractors;
- any party acquiring (or considering acquiring) any interest in any business or in the loan and any related securities provided by you or any other person;
- other third parties associated with us;
- our external service providers, for example, mailing houses, debt collection agencies, mercantile agents, archive companies, valuers, call centre operators;
- solicitors, financial advisors and accountants;
- other credit providers;
- introducers, dealers and brokers;

- suppliers of goods to be or which may be financed and other persons who have an interest in any property offered to us as security; and
- other organisations as further set out in our Privacy and Credit Reporting Policies.

Some of the recipients to whom we disclose your Personal Information may be based overseas. It is not practicable to list every country in which such recipients may be located but details of the countries where the overseas recipients are likely to be located are in our Privacy and Credit Reporting Policies.

You consent to us collecting your Personal Information and using it for the purposes outlined in this document and our Privacy and Credit Reporting Policies including disclosing your Personal Information to the types of organisations and recipients set out above.

Disclosure of Credit Information to a Credit Reporting Body

You consent to and authorise us to give a Credit Reporting Body certain Personal Information about you (including Credit Information, such as details about the credit that we provide to you, your repayment history and any repayment defaults etc.) for the purposes of enabling us to obtain Credit Eligibility Information about you in relation to consumer or commercial credit and any other purpose permitted by the Act.

You should also be aware that if you fail to meet your payment obligations in relation to consumer credit or commit a serious credit infringement, we may be entitled to disclose this to the Credit Reporting Body.

The Credit Reporting Body may disclose the Personal Information we provide to them to other credit providers to assist them to assess an individual's credit worthiness.

The Credit Reporting Body that we currently exchange Personal Information with is:

Equifax Australia Information Services and Solutions Limited (ABN 26 000 602 862)
 Address: PO BOX 964, NORTH SYDNEY NSW 2059
 Website: www.mycreditfile.com.au

A copy of its privacy policy, which sets out how it manages credit-related information, can be obtained from <http://www.equifax.com.au/privacy>.

You have the right to:

- **opt-out of direct marketing pre-screenings:** Credit Reporting Bodies may use credit-related information to assist credit providers to market their products and services. If you do not want a Credit Reporting Body to use your credit-related information in this manner, the Act gives you the right to make a request to the Credit Reporting Body that your information not be used for this purpose; and
- **request non-disclosure where you believe you have been, or are likely, a victim of fraud:** if you believe that you are a victim of fraud, or are likely to be a victim of fraud, you are entitled, under the Act, to make a request to a Credit Reporting Body that it not use or disclose any of your credit-related information.

Authority to Obtain Information

You authorise us to obtain from a Credit Reporting Body, on one or more occasions, Information about you in relation to consumer or commercial credit provided to you (or another person, where applicable) for the purposes of:

- assessing an application for consumer or commercial credit; or
- assessing whether to accept you as a guarantor; or
- collecting payments that are overdue in relation to consumer or commercial credit provided by us.

In addition to the above purposes, we use Credit Eligibility Information that we hold for any of the purposes referred to in this document or our Privacy and Credit Reporting Policies, including:

- where an application is granted in relation to a master credit facility, assessing subsequent applications for credit under that facility; and
- for internal management purposes.

You have a right to access the Credit Eligibility Information we hold about you, request that we correct your Credit Eligibility Information and Credit Information and make a complaint to us (please see below for more details about access, correction and complaints).

Authority to Exchange Credit Eligibility Information with another Credit Provider

You authorise us to give (and obtain from other credit providers) Credit Eligibility Information about you that we (or other credit providers) hold for purposes that comply with the Act, including:

- assessing an application for credit and your credit worthiness; and
- determining what action to take in relation to payments that are overdue for credit provided by us (or other credit providers).

We may also exchange other Personal Information about you as prescribed by the Act.

Authority to Disclose Credit Eligibility Information to Joint Applicants

You understand that if we decline your credit application or application to become a guarantor due to the Credit Eligibility Information we have obtained from a Credit Reporting Body, then each applicant for the credit may be notified that the application has been declined wholly or partly on that basis.

Authority to Disclose Information to Guarantors

You consent to us providing information about you to any person who proposes to guarantee your obligations to us or provide security in relation to such obligations for the purpose of allowing that person to assess whether to act as your guarantor and/or indemnifier and/or security provider. After the guarantee or security is given, you consent to us providing information about you to any guarantor and/or indemnifier and/or security provider.

Authority to Give Opinions

You authorise us to give to or receive from another credit provider an opinion for purposes connected with your business trade or profession.

Other Acknowledgments and Consents

- You confirm where you first applied for credit orally, that the above confirms consents covered at that time.
- You consent to us exchanging information concerning your financial affairs with any person acting on your behalf including your agent, accountant, solicitor or broker.
- You acknowledge that we may exchange information about you with government authorities as required or authorised by law including the Australian Taxation Office.

Access to and Correction of Personal Information (including Credit Eligibility Information)

If you would like to know more about:

- the Personal Information which we hold about you; or
- our Personal Information handling practices; or
- gaining access to the Personal Information which we hold about you; or
- our handling of Personal Information about you, please contact us on the number listed below:

Multi Finance Pty Ltd – 0404 811 343
Agile Capital Pty Ltd – 0404 811 343

Complaints

If you consider that we have not complied with our obligations under the Act (including those under Part IIIA of the Act, the CR Code and/or the APPs) you may make a complaint to:

Multi Finance Pty Ltd | Agile Capital Pty Ltd

Privacy Officer

Telephone: 0404 811 343

Address: PO Box 429, St Leonards NSW 1590

E-mail: antoine.laval@aqilecapital.com.au

If you are not satisfied with our response you may have further rights to complain to either of the below:

- our external dispute resolution scheme;

Financial Ombudsman Service

Address: PO Box 3, Melbourne VIC 3001

Contact Number: 1800 367 287

E-mail: info@fos.org.au

- the Office of the Australian Information Commissioner (www.oaic.gov.au).

Copies of our Privacy and Credit Reporting Policies

You should also read our Privacy and Credit Reporting Policies which provide further details in relation to the above, including:

- the types of Personal Information (including Credit Information and Credit Eligibility Information) we may collect;
 - our handling of Personal Information;
 - how you may access and seek the correction of Personal Information we hold about you; and
 - how you may make a complaint and our complaint handling process.
- Copies of these documents are available by contacting Multi Finance Pty Ltd | Agile Capital Pty Ltd 0404 811 343

Our Privacy and Credit Reporting Policies may be updated from time to time.

Marketing and Disclosure to Related Bodies Corporate and Business Partners

- We may use your Personal Information to identify and send you information about products and services (including third party products and services, webinars, special offers and promotions) that we think may be of interest to you. You consent to us sending you marketing communications (including by phone, electronic message or any other delivery method) for this purpose. **You may ask us at any time to stop sending you marketing communications by contacting Multi Finance Pty Ltd | Agile Capital Pty Ltd 0404 811 343 and we will comply with your request within a reasonable period.**

- We may also share your Personal Information with our Related

Bodies Corporate and business partners for their marketing purposes.

You may ask us at any time to stop doing this by contacting Multi Finance Pty Ltd | Agile Capital Pty Ltd 0404 811 343

and we will comply with your request within a reasonable period.

Disclosure by us to Overseas Regulators

Your Personal Information may be disclosed by us where required to comply with:

- any laws binding upon us;
- to the extent required or permitted by any domestic or foreign applicable law, rule or regulation regarding reporting and/or retention of Personal Information; or
- to the extent required by any order or directive regarding reporting and/or retention of Personal Information issued by any domestic or foreign authority, body or agency in accordance with which we are required or accustomed to act.

As we may be providers of financial services, we have obligations to disclose some Personal Information to government agencies and regulators in Australia, and in some cases offshore.

Anonymity and Pseudonymity

It is generally not practicable for you to deal with us on an undisclosed basis or by using a pseudonym. However, if it is ever practicable to do so you have an option to deal with us in either of these ways. We may not be able to provide services or goods to you if you do not identify yourself.

Contact Details

Multi Finance Pty Ltd | Agile Capital Pty Ltd

Privacy Officer

Telephone: 0404 811 343
 Address: PO Box 429, St Leonards NSW 1590
 E-mail: antoine.laval@agilecapital.com.au

Introducer Use Only – Introducer Authorisation

Name of Introducer:

Multi Finance Pty Ltd ABN 47 605 374 169, Agile Capital Pty Ltd ABN 25 101 279 458, CAFG Australease Pty Ltd ABN 51 002 306 836

I / We, the applicant(s)/borrower(s) named below authorise:

- Any of the disclosed or undisclosed principals of **Multi Finance Pty Ltd ABN 47 605 374 169, Agile Capital Pty Ltd ABN 25 101 279 458, CAFG Australease Pty Ltd ABN 51 002 306 836, Capital Finance Australia Limited ABN 23 069663136 ("Principal")** to exchange with the Introducer
- the Introducer to request access to my/our Personal Information (including obtaining Credit Eligibility Information under subsection 21T(1) of the *Privacy Act 1988* (Cth)) from the Principal for the purposes set out above.

You acknowledge that you have read and understood the authorisations and consents which you have given in this document. By completing this document, you undertake to provide a copy of this document to each principal, company officer or partner that you purport to represent.

_____	_____	_____
Name of Applicant / Guarantor	Signature	Date
_____	_____	_____
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