

INFORMATION POLICY - CREDIT REPORTING AND CREDIT RELATED PERSONAL INFORMATION HANDLING

1. PURPOSE

The purpose of this policy (**Policy**) is to provide an up to date Policy about the management of credit related personal information (which includes but is not limited to regulated information, credit eligibility information, credit reporting information) (**Credit Information**) including the collection, holding, use and disclosure and dissemination or publication of such information by Hughes Contracting Pty Ltd (**our, us, we**).

This Policy is intended to provide transparency in our Credit Information operations, notify you of your rights and our obligations and provide information regarding:

1. the type and kinds of Credit Information which we may collect and hold;
2. how we will collect, hold, use and disseminate publish or disclose Credit Information;
3. the purposes for which we collect, hold, use and disseminate publish or disclose Credit Information;
4. how you may access Credit Information about you that is held by us and seek correction of such information;
5. how you may complain about an alleged breach of the Credit Reporting Privacy Code (CRC) and how we intend to deal with any such complaint;

6. whether we are likely to disseminate publish or disclose Credit Information to an overseas recipient; and
7. if we are likely to disseminate publish or disclose Credit Information to overseas recipients, the countries in which such recipients are likely to be located (if practical to do so).

2. COMPLIANCE ACKNOWLEDGMENT OF RESPONSIBILITY BUT NO WARRANT

This Policy sets out how we comply with our obligations under the *Privacy Act 1988* (as amended by the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*) (the **Act**) and the CRC.

We acknowledge that we must take reasonable steps when handling Credit Information.

Whilst we cannot warrant that this Policy will be followed in every instance, we will endeavour to follow this Policy on each occasion.

3. THE TYPE AND KIND OF CREDIT INFORMATION WE MAY COLLECT AND HOLD

We may collect and hold the following kinds and types of Credit Information.

1. Any information regarding your credit worthiness.
2. Details regarding applications for commercial credit including the type and amount of credit requested and the fact that we have assessed an application.
3. Any administrative information about credit accounts of yourself and your related bodies corporate.
4. Details regarding the provision of credit, the amount and whether any other credit was previously provided.
5. Current and prior names and addresses, age and occupation, (including employer details).
6. Driver's licence number.
7. Repayment history.

8. Details regarding payment owed to us or any other credit provider, in connection with credit provided to you or in relation to which you are a guarantor, overdue for more than 60 days.
9. Whether in our opinion, or another credit provider's opinion, you have committed a serious credit infringement.
10. The date that any agreement in relation to credit ceased or was terminated and the surrounding circumstances.
11. Whether you have entered into arrangements with us or other creditors in connection with the credit provided to you.
12. Court proceedings information, personal insolvency information and credit related publicly available information.

4. HOW WE MAY COLLECT, USE AND DISSEMINATE PUBLISH OR DISCLOSE YOUR CREDIT INFORMATION

Our preferred practice will be to collect Credit Information from you (or your authorised representative) directly and with your written consent.

We may collect Credit Information from a third party. This may include the collection of Credit Information from a Credit Reporting Body (CRB).

You will typically provide your consent by receiving our Commercial Quote Agreement, or by ordering or authorising us to supply goods and services or perform construction work after having received our Commercial Quote Agreement.

We will otherwise endeavour to obtain your written consent regarding the collection and further disclosure of Credit Information from and to a CRB.

It may be necessary for us to collect your Credit Information for a specific purpose such as an to verify your credit *bona fides*.

If you fail to meet payment obligations or commit serious credit infringement, we may be required to in some circumstances, to disclose your Credit Information to a CRB.

We will attempt to use the Credit Information we collect and hold for the primary purpose(s) in respect of which it is collected.

5. HOW WE WILL HOLD THE CREDIT INFORMATION WE COLLECT, USE AND DISCLOSE

We will hold the Credit Information in a manner which is deemed by us secure and protected from unauthorised access.

Your information may be held in a physical form or in electronic form on our IT system, or a combination of those methods.

We take steps to protect the information against misuse, including by modification, disclosure or by corruption including by such means as password protection for accessing electronic IT systems and physical restrictions. We will also take steps where practical to ensure our service providers have protection for electronic IT systems and other necessary restrictions.

We will endeavour to ensure that our relevant staff are trained about the security of the Credit Information we hold and we will restrict any access where necessary.

Once information is no longer required, we will take reasonable steps to either destroy or de-identify the Credit Information in a secure manner.

In the event we hold Credit Information that is unsolicited and we were not permitted to collect it, the Credit Information will be destroyed as soon as practicable.

6. THE PURPOSE FOR WHICH WE COLLECT, HOLD, USE AND DISSEMINATE PUBLISH OR DISCLOSE YOUR CREDIT INFORMATION

We may collect, hold, use and disseminate publish or disclose your Credit Information as reasonably necessary so that it may be used directly for the functions or activities of our company and as permitted by law.

1. We may use your Credit Information for the functions or activities of our company to:
2. consider whether to provide you or a related entity with credit;
3. accept you as a guarantor;

4. consider your credit worthiness when making decisions with respect to your account;
5. provide information to CRB's and participate with other credit reporting systems recognised by the CRC;
6. take debt recovery action and enforcement where necessary to recovery amounts against guarantors or where infringements have occurred; and/or
7. consider and address any complaints, or to comply with any statutory requirements.

6.1 Disclosure to CRB's

We may disclose Credit Information to a CRB in accordance with permitted disclosures defined under the Act, including instances where you fail to meet your payment requirements or you commit a serious credit infringement.

We may disclose your Credit Information to the following CRB's listed below:

- Veda Advantage Level 15, 100 Arthur Street NORTH SYDNEY NSW 2060
- Dun & Bradstreet Level 2, 143 Coronation Drive MILTON QLD 4064
- Creditor Watch Level 13, 109 Pitt Street SYDNEY NSW 2000
- Experian Level 6, 549 St Kilda Road MELBOURNE VIC 3004

A copy of the credit reporting Policy for the CRB's listed above will be available on their website and ought to be provided in hard copy upon request to them.

A CRB may use your Credit Information to assist with our marketing by "pre-screening" for direct marketing.

In accordance with recent changes within the Act we are unable to use your Credit Information for direct marketing, however a CRB may be able to "pre-screen" you and provide you with an opportunity to opt out of direct marketing.

You can tell the CRB that you do not want your Credit Information used for this purpose.

You are entitled to also place a 21 day ban on the sharing of your Credit Information, if you believe you have become a victim of credit fraud.

6.2 Disclosure of your Credit Information to other recipients

Where permitted by law we may choose to share and/or disclose your credit information with third parties including:

1. our related companies;
2. credit insurers;
3. debt collection organisations;
4. guarantors or security providers in relation to the credit we provide you;
5. debt assignment organisations; and
6. other credit providers.

In some instances we will require your written consent prior to making such disclosures. We typically obtain this consent in terms of our Commercial Quote Agreement or via our privacy statement.

7. HOW CAN YOU ACCESS YOUR CREDIT INFORMATION

You are entitled to access your Credit Information held in our possession.

We will endeavour to respond to your request for Credit Information within a reasonable time period and as soon as practicable in a manner as requested by you. We will normally respond within 45 days.

You can make a request for access by sending an email or letter and addressed to our Privacy Compliance Officer.

You may contact us for the details of our Privacy Compliance Officer.

With any request that is made, please be aware we will need to authenticate your identity to ensure the correct person is requesting the information, which may include requiring three forms of identification to our satisfaction.

You will only be granted access to your Credit Information where we are permitted or required by law. We are unable to provide you with access that is unlawful.

We will not charge you for making an access request, however if reasonable we may charge you with the costs associated with your access request, and we may not release information without having first received your payment.

In the event your access request is refused we will provide you with written notice regarding the refusal and reasons for our decision.

8. CORRECTION QUALIFICATION AND AMENDMENT OF CREDIT INFORMATION

Should we hold Credit Information that is incorrect, you have the right to make us aware of this and to request that allegedly incorrect information be qualified amended or corrected. If you would like to make a request to qualify amend or correct your information please contact our Privacy Compliance Officer on the details provided above.

In assessing your request we will need to be satisfied of reasonable grounds that the information requested to be qualified amended or corrected is inaccurate, incomplete, out of date, irrelevant or misleading. We will then take all reasonable steps necessary to qualify amend or correct your information.

It is our normal request to try and resolve any correction requests within 45 days. If we are to require further time we will notify you in writing and seek your consent. If it is the case we do not agree to correct your Credit Information as per your request we will notify you in writing and provide you with our written reasons for the refusal.

9. RECORD KEEPING

We will endeavour to keep a record of where all of your Credit Information is used or disclosed.

The types of matters recorded by us include the following:

1. Where we have received Credit Information from another credit provider:
 - the date in which it was disclosed;
 - a brief description of the information disclosed; and
 - to whom the disclosure was made.
2. Records of any consent provided by an individual for purposes of disclosure; and
3. Records of any correspondence and actions taken in relation to notifications or corrections, complaints, pre-screening, monitoring and auditing.

We will maintain our records for a minimum period of 5 years.

10. COMPLAINTS

In the event that you wish to make a complaint about any alleged failure by us to comply with our obligations in relation to the CR Code or the Act please raise this with our Privacy Compliance Officer on the contact details above.

We will provide you with a receipt of acknowledgment as soon as practicable.

We will then endeavour to respond to your complaint and attempt to resolve the issues within 45 days, unless otherwise specified.

In dealing with your complaint we may need to consult a CRB, or another credit provider, or a third party.

If we fail to deal with your complaint in a manner that you feel is appropriate you may choose to report your complaint to an external dispute resolution scheme (EDR Scheme).

We note that we are currently not a member of any EDR Scheme.

If you are not satisfied with the process of making a complaint to our Privacy Compliance Officer you may make a complaint to the Information Commissioner.

Details of which are:

Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001
Email: enquiries@oaic.gov.au
Telephone: **1300 363 992**
Facsimile: **02 9284 9666**

The Information Commissioner can decline to investigate a complaint on a number of grounds including:

1. where the complaint wasn't made at first to us;
2. if the Information Commissioner considers the complaint has already been dealt with by a recognised EDR scheme; or
3. if the complaint would be more effectively or appropriately dealt with by a recognised EDR scheme of which we are a member.

11. DISCLOSURE TO OVERSEAS RECIPIENTS

Were permitted by law, we may choose to disseminate publish or disclose your Credit Information with recipients external to Australia.

We are required to notify you of any countries which Credit Information may be transmitted to, or disclosed.

At this point in time, we do not share and/or disclose any Credit Information to overseas recipients.

If you have any queries regarding our credit reporting Policy or wish to find out more regarding any of our privacy policies, please contact our Privacy Compliance Officer on the details listed above.