
Credit Reporting Policy & Statement of Notifiable Matters

1. INTRODUCTION

This Credit Reporting Policy applies specifically to credit related personal information which is credit information, credit eligibility information or credit reporting body derived information about an individual (“**credit related information**”) and sets out how Oakbridge Lawyers Pty Ltd ACN 623 488 291 (“**we**”, “**us**” or “**our**”) manages that information.

We are bound by the *Privacy Act 1988* (Cth) (“**Act**”), and the *Privacy (Credit Reporting) Code 2014* (“**Code**”) to the extent applicable in relation to that credit related information.

You can request a copy of this Credit Reporting Policy (including the Statement of Notifiable Matters) by visiting our website www.oakbridgelawyers.com.au or by contacting us via email on nklar@oakbridgelawyers.com.au (we may provide you with a hard copy upon your request).

2. YOUR ACCEPTANCE OF THIS CREDIT REPORTING POLICY

By entering into a costs agreement/ terms of engagement with us under which legal services are to be provided to you or otherwise providing us with your credit related information, you agree to the terms of this Credit Reporting Policy. Depending on the manner in which you communicate with us, further privacy information may apply in addition to the matters discussed in this Credit Reporting Policy.

From time to time, we may update this Credit Reporting Policy. When changes are made, we will revise the date of last update as listed at the end of this Credit Reporting Policy. We encourage you to check our website regularly for any updates to our Credit Reporting Policy.

3. CREDIT RELATED INFORMATION ABOUT YOU WE COLLECT AND HOLD

We may collect, use, hold and disclose credit information about you. You consent to such collection, holding, use and disclosure of your credit information in accordance with the terms of this policy. The terms “**credit information**”, “**credit eligibility information**”, “**credit reporting information**” and “**personal information**”, as used in this policy, are as defined in the Act.

We collect and hold various kinds of credit related information including:

- identification information (including an individual's name, age, address and other contact details);
- statements that information requests have been made by credit providers, mortgage insurers or trade insurers;
- default information;
- new arrangement information;
- Court proceedings information;
- personal insolvency information;

- publicly available information that relates to an individuals' activities in Australia or the external Territories and their credit worthiness;
- opinions of other credit providers;
- repayment history information;
- consumer credit liability information;
- the type of credit and the amount of credit you may request from time to time and in connection with which we have made an information request about you;
- opinions of credit reporting bodies including credit ratings, scores and evaluations about credit worthiness;
- individuals' credit application history; and
- any other information relevant to the purposes for which we collect credit related information.

4. WHY WE COLLECT, HOLD, USE AND DISCLOSE YOUR CREDIT RELATED INFORMATION

We collect, hold, use and disclose credit related information as reasonably necessary for our business purposes and as permitted by law. These purposes are varied and may include:

- assessing whether to provide you or your business with credit or to accept you as a guarantor;
- making credit worthiness evaluations to be used in our decision-making processes;
- managing credit provided by us;
- participating in the credit reporting system and providing information to credit reporting bodies as allowed by Part IIIA of the Act and the Code;
- assist you to avoid defaulting on your credit obligations;
- assisting other credit providers;
- assess whether to securitise and/or arrange for the securitising of the credit facility;
- where applicable under the law, consider hardship requests;
- undertaking debt recovery and enforcement activities;
- dealing with complaints; and
- dispute resolution and complying with legal and regulatory requirements including the Personal Property Securities Act 2009 (Cth), the Corporations Act 2001 (Cth), the Taxation Administration Act 1953 (Cth), the Income Tax Assessment Act 1936 (Cth) and other taxation laws.

If credit related information is not collected by us, it may prevent us from engaging in certain activities with you and your business including entering into deferred payment arrangements, trade credit agreements, or other business-related activities where we consider obtaining that information is necessary.

5. HOW WE USE AND DISCLOSE YOUR CREDIT RELATED INFORMATION

Disclosure of credit related information to credit reporting bodies

We may disclose credit related information to credit reporting bodies where the Act and Code permits us to do so. For example, we may disclose credit related information to a credit reporting body when

seeking credit reports from credit reporting bodies or if you fail to meet your payment obligations in relation to consumer credit or commit a serious credit infringement. In addition, a credit reporting body may include the information we provide them in reports, which may then be provided to other credit providers to assist them to assess your credit worthiness.

We are likely to disclose credit related information we collect to the following credit reporting bodies:

- **Equifax**
Phone: 13 8332
Web: www.equifax.com.au
- **Illion**
Phone: 13 23 33
Web: www.illion.com.au
- **Experian**
Phone: 1300 784 684
Web: www.experian.com.au
- **Creditor Watch**
Phone: 1300 501 312
Web: www.creditorwatch.com.au

Some of your rights in relation to credit reporting bodies

A credit reporting body may use your credit related information to assist a credit provider to market to you by pre-screening you for direct marketing by the credit provider. If you do not want a credit reporting body to use your credit related information for the purpose of pre-screening of direct marketing, you have the right under the Act to contact the credit reporting body and request that they exclude you.

If you reasonably believe you have been or are likely to be a victim of fraud, you may contact a credit reporting body to request that they not use or disclose your credit related information. The credit reporting body will explain to you in detail the effects of this.

Disclosure of credit related information to other recipients

We may, as permitted by law, disclose your credit related information to third parties including agents or other third parties for the internal management purposes that are directly related to the provision or management of credit we provide.

We may disclose credit related information to a debt collection agency, or where you have expressly consented to that disclosure to another credit provider or guarantor, or as otherwise allowed by the Act.

Disclosure of credit information and credit eligibility information outside of Australia

We may disclose your credit information and credit eligibility information to our related bodies corporate, which are based overseas which are registered and governed by laws outside the Australian jurisdiction.

These related bodies corporate to which your credit information and credit eligibility information may be transferred, may be located throughout the world (including but not limited to New Zealand).

6. HOW WE USE AND DISCLOSE YOUR CREDIT RELATED INFORMATION

Accessing your credit related information

To access the credit related information we hold about you, please send a written request to the Practice Manager . We will attempt to grant you access to the credit related information within 30 days of a request but in some circumstances it may take longer. There is no charge associated with making an access request.

We may refuse to give access to the credit related information in circumstances prescribed by the Act. If we refuse to provide you with access to credit related information held about you by us, then we will provide written reasons for the refusal and advise you of available avenues of redress.

Correcting your credit related information

If you believe that any credit related information held by us about you is inaccurate, out of date, incomplete, irrelevant or misleading, please request its correction free of charge by contacting our Practice Manager . We will attempt to resolve correction requests within 30 days of your making a request but in some circumstances, it may take longer. If we need more time to resolve your request, we will notify you as to the delay, the reasons for it and seek your written agreement to a longer period.

If your request for correction is successful, we will provide written notice of the correction to you, and where practicable and not prohibited by law, to certain other people we provided the pre-correction information (other than identification information) to, such as relevant credit reporting bodies and to any other third party as required under the Act. If we refuse your request for correction, we will provide written reasons for the refusal and advise you of available avenues of redress.

You have the right under the Act and the Code to obtain your credit related information from a credit reporting body free of charge if the access request relates to a decision to correct information about you. That right may be exercised by contacting the relevant credit reporting body.

7. HOW WE USE AND DISCLOSE YOUR CREDIT RELATED INFORMATION

If you believe an act or practice we have engaged in has breached the Act or the Code, you can lodge a complaint free of charge by contacting our Practice Manager . We will endeavour to contact you to confirm receipt within 7 days of us having received your complaint. We will try to resolve the complaint within 30 days of receiving the complaint. If we need more time to resolve your complaint, we will notify you as to the delay, the reasons for it and seek your written agreement to a longer period. Depending on the nature of the complaint, it may be necessary for us to consult with third parties, including credit reporting bodies or other credit providers, in order to investigate and resolve your complaint.

If you are unhappy with our resolution of your complaint or with the way we have handled your complaint, you may refer the matter to the Office of the Australian Information Commissioner (see <http://www.oaic.gov.au> for further details).

8. STATEMENT OF NOTIFIABLE MATTERS

Under the CR Code, at the time or before the time we collect personal information about you that we may disclose to a credit reporting body, there are several 'notifiable matters' that we are required to notify you of. These are as follows:

1. the credit reporting body may include the information we provide to them in reports, which assists other credit providers to assess your credit worthiness;
2. 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 a credit reporting body;
3. you can request a copy of this Credit Reporting Policy by visiting our website www.oakbridgelawyers.com.au or by contacting us via email on nklar@oakbridgelawyers.com.au;
4. you can request a copy of the credit reporting policies of the three (3) credit reporting bodies listed in paragraph 5 above by contacting them using the details provided herein;
5. you have the right to access the information we hold, to request that we correct the information and to make a complaint to us (as set out in this document);
6. you have the right to request credit reporting bodies not to use your credit reporting information for the purposes of pre-screening of direct marketing; and
7. you have the right to request the credit reporting body not to use or disclose credit reporting information about you, if you believe on reasonable grounds that you have been, or are likely to be, a victim of fraud.

9. HOW TO CONTACT US

If you have any questions about this Credit Reporting Policy or our handling of your credit related information please contact our Practice Manager by email addressed to the Practice Manager at nklar@oakbridgelawyers.com.au or via phone on (08) 7078 0395, or alternatively you can send your request by post addressed to: The Practice Manager, Oakbridge Lawyers Pty Ltd, Suite 5, 245 Fullarton Road, SA 5063.

This Credit Reporting Policy was last updated on 5 February 2021