

ABAL Privacy and Credit Reporting Policy

Document Owner: Senior Compliance
Manager

Date: 06 November 2020

Version: November 2020

Next Review: 01 October 2021

ABAL Privacy Policy

1. Introduction

Arab Bank Australia Limited (ACN 37 002 950 745) ('we', 'us', 'our') is bound by:

- the Australian Privacy Principles under the *Privacy Act* 1988 (Cth) (**Privacy Act**);
- The New Zealand Legislation Privacy Act 2020; and
- Division 3 of Part IIIA of the Privacy Act, which regulates the handling of credit information, credit eligibility information and related information by credit providers and the Credit Reporting Privacy Code.

2. Purpose

This Privacy Policy outlines how we deal with your personal information (including 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 Privacy Policy, the provisions of that agreement will prevail to the extent of any inconsistency.

3. Key types of information

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

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

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

4. Collection

Wherever possible, we will collect personal information (including credit information) directly from you. This information will generally come from what you provide in your application for one of our products, services or delivery channels including internet and mobile banking, and supporting documentation.

We only ask for personal information relevant to our business relationship with a customer.

When you apply for one of our products or services, we may request for instance:

- identifying information, like your name, address, your date of birth and other contact details;
- information about your financial position, like your income, expenses, savings and assets and any (other) credit arrangements;
- your employment details;
- your tax file number, if you choose to provide it; your tax residency details and taxpayer identification number (including tax file number), and
- your reasons for applying for a product or service;

We may collect personal information (including credit-related information) about you from third parties, such as any referees that you provide, your employer, brokers, introducers who may have referred you to ABAL, other credit providers and third party service providers including credit

reporting bodies, telephone directories, the electoral roll or other websites. 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 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 scoring information.

We may also collect your personal information through CCTV, monitoring or recording conversations to protect you in your dealings with us and to provide a record in the event of a dispute about the transaction.

Any information that you enter on to an online application form (for example contact details, tax file number, and financial information) will only be collected by us if you submit your online application. In other words, if you cancel your application or log out prior to submitting your application, any information which you had entered is automatically deleted.

Any information that you enter to operate your bank accounts online (for example, internet ID, passwords, payee details and payment amounts) will be collected and stored by us or our agents and used to effect the transactions authorised by you in accordance with our Internet Banking terms and conditions.

Information required by law

We may collect information from you because we are required or authorised by Australian law, by a court or regulatory body. Examples of laws include the Anti Money Laundering and Counter Terrorism Financing Act, the National Consumer Credit Protection Act, and Australia's participation in Automatic Exchange of Information regimes concerning the automatic exchange of financial account information with foreign jurisdictions.

5. Use

We may use your personal information (including 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 products and services to you;
- executing your instructions;
- charging and billing;
- uses required or authorised by law;
- maintaining and developing our business systems and processes;
- research and development;

- collecting overdue payments due under our credit products;
- managing our rights and obligations regarding external payment systems; or
- marketing including direct marketing.

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

- a purpose set out in this Privacy 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.

6. Disclosure

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

- our related companies including members of the Arab Bank Group;
- external organisations that are our assignees, agents or contractors;
- organisations which we use to verify your identity;
- agents, contractors or third party service providers who provide administrative, telecommunications, computer or other services to us in connection with our business including payment systems operators, mailing houses and research consultants;
- insurers and re-insurers, where insurance is provided in connection with our services to you;
- other financial institutions, for example, when you apply for a loan from another credit provider and you agree to us providing information;
- 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;
- lenders' mortgage insurers, where relevant to credit we have provided;
- debt collecting agencies, if you have not repaid a loan as required;
- our professional advisors, such as accountants, lawyers and auditors;
- Your representative for example, lawyer, mortgage broker, financial advisor or attorney, as authorised by you,
- 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 advisor or attorney, as authorised by you; or
- if required or authorised by law, to government and regulatory authorities.

We 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 and the use of the personal information for the specific purpose we ask them to perform.

We may disclose your personal information including your credit related information within the Arab Bank Group to our parent entity Arab Bank plc incorporated in Jordan. The information shall only be disclosed for the purposes set out in this document and an agreement is in place with our parent that it will observe the Australian Privacy laws.

We may also disclose this your personal information including your credit related information to 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 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 doing anything else which enables the third party to obtain access to the information

7. Sensitive information

Where it is necessary to do so, we may collect personal information about you that is sensitive. Sensitive information includes information about an individual's political opinions, religious beliefs, ethnic or racial origin, 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.

8. Refusal of credit applications

We may refuse an application for consumer 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 information (including credit-related information), held on our website or otherwise, is protected from:

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

We store information in different ways, including paper based records and electronic form. Computer and networks systems are protected using security measures including firewalls and data encryption. We also have documented security policies and procedures which aim at ensuring the protection of customers' personal information.

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 ask you to keep your passwords, personal identification numbers and devices safe, in accordance with our recommendations. 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.

10. Website

This section explains how we handle personal information and credit information collected from our website.

Visiting 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 includes a number of feedback and enquiry forms, calculators and other tools, which may require you to enter your personal details. If you save the data you enter, 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 (ie 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 (ie 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, however 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.

Security

We use up-to-date security measures on our website to protect your personal information and your credit information. Any data containing personal, credit or related information which we transmit via the internet is encrypted. 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. However once we receive your transmission, we take all reasonable steps to ensure that your information is secure on our systems and those of our agents.

Links on our website

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

You may request access to the personal information (including credit-related information) that we hold about you at any time from anyone handling your banking. Contact details can be located on our website.

We will respond to your request for access within a reasonable time. If we are unable to give you access to any of your personal information, we will explain why we are unable to do so. You can contact our Privacy Officer if you object to the reasons given for not providing you with access. We may recover the reasonable costs of our response to a request for access to personal information.

12. Accuracy and Correction

We take reasonable steps to make sure that the personal information (including credit-related information) that we collect, 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 contacting our Privacy Officer whose details are in paragraph 14 of this Privacy Policy.

13. Marketing

We may use your personal information, including your contact details, to provide you with information about products and services, including those of other organisations, which we consider may be of interest to you unless you request not to receive marketing communications. If you are on the Do Not Call Register while you are our customer we will infer from our relationship with you that you consent to receiving telemarketing calls from us, unless you notify us that you do not wish to receive such calls. You may request at any time not to receive marketing communications or not to receive them through a particular channel, like email. You can make this request by contacting anyone handling your banking, or by 'unsubscribe' from our email marketing messages, which always include an unsubscribe option. Unless we have first obtained your consent, we will not provide your personal information to other organisations to use for their marketing purposes.

14. New Zealand Privacy Act 2020

- **Extraterritorial reach of the New Zealand Privacy Act 2020** - Section 4 of the New Zealand Privacy Act 2020 has an extraterritorial reach. Accordingly, it will apply to entities that carry on business in New Zealand regardless of whether or not they have a legal or physical presence in New Zealand. Consequently, the New Zealand Privacy Act 2020 applies to ABAL when it collects or holds personal information of New Zealand citizens or residents as part of its business operations. Accordingly, ABAL will need to report data breaches where Personally Identifiable Information (PII) related to New Zealand citizens or residents is accessed by unauthorised users or becomes inaccessible.

- **What amounts to a breach under the New Zealand Privacy Act 2020?**
 - unauthorised or accidental access to, or disclosure, alteration, loss, or destruction of, the personal information; or
 - an action that prevents the agency from accessing the information on either a temporary or permanent basis.
- **What data breaches must be reported?**
 - Notifiable privacy breaches must be reported. A notifiable privacy breach is one where it is reasonable to believe that the breach has caused serious harm to the affected individual(s), or it is likely to do so.
- **Reporting timeline**
 - ABAL must notify the New Zealand Privacy Commissioner as soon as practicable after becoming aware that a notifiable privacy breach has occurred.

15. Changes to the Privacy Policy

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

16. Questions and complaints

If you have any questions, concerns or complaints about this Privacy Policy, or our handling of your personal information (including credit-related information), please raise them with anyone handling your banking. Contact details can be found on our website. You can also raise your concerns if you believe that the privacy of your personal information has been compromised or is not adequately protected.

Once a complaint has been lodged, we will respond to you as soon as possible. We will aim to deal with your complaint at the source of your complaint. If you are not satisfied with the response you receive, you may ask for the decision to be **reviewed as a dispute** by our Senior Management.

If you are still not satisfied, you can contact external bodies that deal with privacy complaints. These are the Australian Financial Complaints Authority (AFCA) which is our external dispute resolution scheme that provides fair and independent financial services complaint resolution that is free to consumers, or the **Office of the Australian Information Commissioner (OAIC)**. **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. Further details about the complaints management process can be found on our website at <http://www.arabbank.com.au/complaints>

The Australian Financial Complaints Authority (AFCA)

Website: www.afca.org.au

Email: info@afca.org.au

Telephone: 1800 931 678 (free call)

In writing to: Australian Financial Complaints Authority, GPO Box 3, Melbourne VIC 3001

or,

OAIC

Post: GPO Box 5218 Sydney NSW 2001

Telephone: 1300 363 992

Website: www.oaic.gov.au

16. Privacy Officer

Our Privacy Officer's contact details are:

Arab Bank Australia Limited, Level 7, 20 Bridge Street, Sydney NSW 2000

Mail: PO Box N645, Grosvenor Place, Sydney NSW 1220

Email: service@arabbank.com.au

Telephone: 1800 646 484 - Overseas callers: +61 2 9377 8900

Fax: 02 9221 5428

17. Disclaimer

This Privacy 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 Privacy Policy.

18. Version Control

Date	Created/Modified	Approved By	Version	Changes
November 2020	Senior Compliance Officer	Senior Compliance Manager	V2.0	Update the ABAL Privacy Policy to incorporate the special requirements of the NZ Privacy Act 2020.