

Privacy & Spam Statement Consent

This Statement explains how Bankwest, Commonwealth Bank of Australia (“CBA”) and subsidiaries of CBA (“we” or “us”) collect, use and disclose personal information and send communications about products and services.

‘Personal information’ is information about, and which identifies, an individual (such as name and contact details). Your personal information includes information about who you are; your interactions with us (such as transactions on your account); your credit history (including what you borrow, whether you make repayments on time and information obtained from credit reporting bodies (CRBs)). It may also include information about you that is publicly available, for example from public registers or made available through social media.

When you give us personal information about another person, you represent that you are authorised to do so and agree to inform that person of the contents of this Statement as it relates to them.

Purposes for which we collect and use personal information

We collect your information to identify you in accordance with the Anti-Money Laundering and Counter-Terrorism Financing Act, and if you are giving a mortgage, certain State property laws, e.g. Real Property Act in NSW and to assess your application for consumer credit under the National Consumer Credit Protection Act if applicable. You are not required to provide your Tax File Number. However, if we do not collect your Tax File Number as permitted by the Taxation Administration Act 1953 and the Income Tax Assessment Act 1936, we may be required to withhold amounts from you and remit them to the Australian Taxation Office.

We also collect your personal information to assess and process an application for any product or service that you make or for which you are a signatory, guarantor, or representative; for internal processes including risk management and pricing, to administer our relationship with you, to meet our obligations in relation to external payment, credit reporting systems, Government bodies and our funding arrangements, to identify and (unless you tell us not to) tell you about products that may interest you, and to comply with regulatory requirements.

If you use our website or online applications we may collect information about your location or activity (including whether you have accessed third party sites) to customise your experience.

The information we collect about you may also include sensitive information such as information about your health where we collect it for a specific purpose, for example, in assessing an application you make for hardship relief.

You consent to us collecting your personal information (including sensitive information) for the purposes described above.

Exchange of personal information generally

We may exchange personal information about you with: our related bodies corporate, other persons to verify that it is correct (eg with your employer); assignees, agents, contractors and external advisers; organisations for verifying your identity; your agents, advisers, referees, executors, administrators, trustees, beneficiaries (if you are a trustee), guardians or attorneys; law enforcement, regulatory and Government bodies; anyone who introduces you to us; reward program providers, third parties providing fraud detection services, your franchisor; payment system operators; your and our insurers or prospective insurers and their underwriters; any person we consider necessary to execute your instructions; other organisations for the supply of services and (unless you tell us not to) marketing of products; other persons where this is permitted by law; persons with whom you make a joint application for a product or service with us; any financial institution to or from which a payment is made in relation to any account you have or operate; your current and prospective co-borrowers, participants or transferees in a securitisation or other funding scheme (including ratings agencies), or persons considering purchasing or who purchase or manage loans and their advisers; financial institutions, and debt collecting agencies.

We may also include your personal information on any registers relevant to services we provide, such as the Personal Property Security Register.

Exchange of personal information with credit providers

We may exchange your personal information with other credit providers (including information provided by or derived from a CRB such as a consumer credit report) for the following purposes:

- to assess an application for credit;
- to consider whether or not to accept you as a guarantor or security provider;
- to collect overdue payments, to manage credit, to help you avert default on credit obligations and take action in the event of your fraud or other serious credit infringement; and
- to provide or manage securitised or transferred loans.

Exchange of personal information with guarantors

If you are a borrower, we may exchange your personal information (including a consumer credit report) with your guarantor, a person who has provided security for credit, or to a person in order for them to consider whether or not to act as guarantor or to provide security for credit.

Exchange of personal information with CRBs

We may exchange your information with CRBs, including by:

- disclosing to a CRB –
 - information they are permitted to collect in conducting a credit reporting business;
 - a failure by you to meet your payment obligations in relation to consumer credit; or
 - details of any fraud or other serious credit infringement you commit;
- obtaining a consumer credit report from the CRB to –
 - assess an application for, or collect overdue payments of, commercial credit;
 - consider whether or not to accept you as a guarantor or security provider;
- obtaining commercial credit information about you in order to assess an application by you for consumer credit.

In order to verify your identity, we may provide your name, residential address and date of birth to a CRB, which may use that information and corresponding information in credit information files of individuals to prepare and provide an assessment of whether your information matches information on a credit information file held by that CRB. By accepting the terms of this statement, you agree to us requesting an assessment and providing your personal information for such an assessment.

CRBs may include information which we provide in reports to other credit providers to assist them to assess your creditworthiness.

The CRBs we may use include Equifax - www.equifax.com.au, and Experian Australia Credit Services Pty Ltd - www.experian.com.au/credit-services/credit-services.html. Each body has a policy which sets out how it deals with credit information held by it, which is available using the contact details above.

If you apply to us to be a borrower, guarantor or security provider, or if you are already a borrower, guarantor or security provider with us, you agree to us accessing your personal information held with a CRB (including consumer credit information), even if there is a ban period in place, for the purposes of assessing the relevant credit application or in order to collect overdue payments in relation to that credit. If you have been, or are likely to be, a victim of fraud (including identity fraud), you can ask a CRB not to use or disclose credit information the CRB holds about you.

Transfer of personal information overseas

Sometimes it may be necessary to send your information overseas – for example, where we outsource functions overseas or to related bodies corporate; where we need to complete a transaction on your behalf or where this is required by laws and regulations in Australia or in another country. These countries include New Zealand, United Kingdom and Ireland. See our Privacy Policy for more information.

Disclosure and use of your personal information by QBE

If we decide to obtain lenders' mortgage insurance (LMI) on your loan or a loan you guarantee, we will give information about you to our LMI provider, QBE Lenders' Mortgage Insurance Ltd ABN 70 000 511 071 (QBE). QBE explains how they handle information about you in QBE's privacy policy set out at www.qbelmi.com. This includes how you can access and correct information about you that QBE holds, how you can make a complaint if you have concerns about how QBE manages your information; and how QBE will deal with complaints.

You can access information that QBE holds about you by calling 1300 367 764.

QBE collects your personal information to decide whether to insure Bankwest under an LMI policy, to assess the risk of you defaulting on the loan, (if you are a guarantor) to assess the risk of you being unable to meet a liability arising under a guarantee, to administer and vary the insurance cover including for securitisation and hardship applications, to deal with claims and recovery of proceeds including among other things to enforce the loan in place of Bankwest, for a mortgage insurance purpose relating to you and for any other purpose under the LMI contract between Bankwest and QBE. If your information is not provided to QBE, QBE may not be able to issue the insurance and Bankwest may not be in a position to provide the loan.

Where permitted by the Privacy Act, QBE may disclose your information to us, our assignees, credit reporting agencies, regulatory bodies, payment system operators and its related companies (whether in Australia or overseas), its service providers, its agents, contractors and external advisers, a guarantor or potential guarantor, reinsurers, to parties for the purposes of securitisation, to parties for the purposes of fraud prevention, your referees (including your employer), your legal and financial advisers, mercantile agents (if you default on the loan), rating agencies and other financial institutions and credit providers. Where permitted by the Privacy Act, QBE may disclose your personal information to its related companies in the Philippines. By signing this statement you agree that QBE may use and disclose information about you in the manner described above.

Marketing

Unless you tell us not to, by accepting the terms of this statement, you consent to us using your personal information (including information collected from others) to advertise or promote products, services, or business or investment opportunities we think may interest you including by:

- contacting you by telephone or writing to you; and
- sending commercial electronic messages to any electronic address which you provide or for which you are responsible.

You can ask us not to contact you and not to disclose your information to others for that purpose, by calling 13 17 19.

From 12 March 2014, CRBs may use consumer credit information they hold to respond to requests from us or other credit providers to “pre-screen” you for direct marketing. You can ask a CRB not to do this. However, you may still receive direct marketing from us (unless you ask us not to) that has not been “pre-screened”.

Further information

This Statement should be read in conjunction with the Privacy Policy on our website at www.bankwest.com.au or by calling 13 17 19.

You have rights to access your personal information (including credit-related information) from us, to request us to correct the information, and to make a complaint to us about a breach of your privacy rights (including credit reporting rights) in relation to the information.

By ticking this box, you agree to its terms and you consent and agree to us collecting, using, exchanging and transferring overseas, your personal information as described and as set out in our Privacy Policy.

If you do not provide the above consent (other than the marketing consent), we will not be able to provide you with the best products and services that suit your needs.