

Symple Loans Privacy Policy

Last updated: June 2020

Symple Loans Pty Ltd ACN 624 150 849 (**we, us, our**) comply with the Australian Privacy Principles (**APPs**), which are part of the *Privacy Act 1988* (Cth) (**Privacy Act**). We recognise and acknowledge that protecting the privacy of individuals' personal information is important and required under the Privacy Act and the APPs.

This policy explains:

- how we protect the privacy of personal information we collect;
- the purposes for which we may use and disclose personal information we collect;
- how we may use and disclose personal information we collect; and
- how individuals can seek access to and correction of personal information we hold about them, lodge complaints with us in respect of how we handle personal information we hold about them and to make any related inquiry.

We reserve the right (at our discretion) to modify, amend or to replace this policy from time to time. Where we modify, amend or replace this policy, we will post the new version of the policy to our website in place of the superseded policy and we will use reasonable endeavours to draw your attention to the new version of the policy (including through the use of alerts on the front page of our website). We recommend that you regularly check our privacy policy to ensure that you are familiar with the current version of our policy.

Our policy should also be read in conjunction with our credit reporting policy, which sets out how we collect, use, disclose and generally handle credit related information, and our statement on notifiable matters. You can access these documents via our website at the following URLs: www.sympleloans.com.au/legal

Scope

We require that our staff comply with this policy in relation to the personal information they handle. We also use our best endeavours to ensure that contractors, suppliers and service providers we engage from time to time comply with similar obligations with respect to any personal information to which they may have access or which may be disclosed to them.

We may collect personal information from any individual with whom we may have contact. These include job applicants, representatives from current and prospective suppliers, borrowers and lenders.

The policy outlined here sets out, in general terms, how we handle and protect the personal information of any individual which we collect or which is disclosed or made available to us in the course of us undertaking our usual business functions and activities.

Types of information we collect and hold

For the purposes of this policy, **personal information** is information or opinion that identifies an individual or which could reasonably identify the individual, regardless of whether the information or opinion is true or not.

It may include (but not be limited to) the individual's name, address, telephone number, email address, age and date of birth. It may also include financial information concerning the individual, such as occupation, income and expenses, assets and liabilities, as well as transaction history.

Further, we may collect and handle credit information. We will collect, handle and process credit information in accordance with our credit reporting policy and the obligations imposed by the Privacy Act and the Privacy (Credit Reporting) Code.

Credit information is a subset of personal information about an individual's credit worthiness, including information about an individual's eligibility to be provided with consumer credit, and their capacity to repay consumer credit. This may include (but not be limited to):

- consumer credit liability information
- repayment history information
- a statement that an 'information request' has been made
- the type and amount of credit sought in an application, in connection with which the credit provider has made an information request;
- default information;
- payment information;
- court proceedings information;
- personal insolvency information;
- certain publicly available information that relates to an individual's activities in Australia and credit worthiness; and
- the opinion of a credit provider that the individual has committed a 'serious credit infringement'

How we collect personal information

We only collect personal information using lawful and fair means. We will not collect personal information unless the information is reasonably necessary for one or more of our functions or activities.

We may collect personal information about an individual from a variety of sources, using a variety of means, including:

- a form that is completed and submitted to us;
- a telephone or email inquiry about us or the services that we provide;
- mail correspondence, emails and other electronic means (including by accessing our websites and through the use of the "contact us" form on our website);
- through publicly available sources of information;
- from job applicants and staff members;
- direct contact in the course of us providing our services;
- in the course of conducting market research;
- from credit reporting bodies and other credit providers (for credit information);
- from credit reporting bodies and identification service providers for identification agencies;
- in the course of providing our services, including to borrowers and to lenders; and
- from current and prospective suppliers of goods and/or services to us.

Subject to the foregoing, to the extent reasonably practicable and reasonable for us to do so, we collect personal information about an individual directly from that individual. Additionally, we will only collect personal information when we specifically request that information, except in circumstances where personal information is volunteered to us or otherwise supplied to us without us asking for such information.

Dealing with us anonymously and pseudonymously

In accordance with the requirements of the APPs, you have the option of not identifying yourself or of using a pseudonym when dealing with us in relation to a particular matter.

However, in accordance with the APPs, the foregoing would not apply in relation to that matter if we are required or authorised by or under an Australian law, or a court or tribunal order, to deal with individuals who have identified themselves concerning that matter.

Additionally, if it is impracticable for us to deal with individuals who have not identified themselves or who have used a pseudonym on a particular matter, then we would not be required to provide you with the option to engage with us on an anonymous or pseudonymous basis concerning that matter.

For example, if you choose to interact and deal with us on an anonymous or pseudonymous basis, or if you do not provide us with personal information when requested, we may be unable to provide you with all of the products and/or services that you seek from us.

Further, we reserve the right to verify your identity as part of our response to a request to access and/or correct personal information we hold about you, or as part of our complaints-handling process. If we are unable to verify your identity, or you continue to engage with us in an anonymous or pseudonymous basis, then we may be unable to satisfy your request or complete our complaints-handling process.

The purposes for which we collect, use and disclose personal information

As a general principle, and in accordance with our statutory obligations, we generally use personal information only for the primary purpose(s) for which we collected the information, or any secondary purpose that is related (in the case of any sensitive information we collect, directly related) to the primary purpose for which you would reasonably expect us to use the collected information, or as otherwise permitted by law.

We will take reasonable steps to make you aware of the purpose(s) for which the personal information collected may be used at or before the time of collection.

We may use and/or disclose personal information collected about an individual for one or more of the following purposes:

- to operate the peer-to-peer lending platform we have established;
- to assess applications to become a borrower through our peer-to-peer lending platform;
- to assess applications to invest in the managed investment scheme that is operated by us or on our behalf;
- to respond to you if you have requested information;
- to verify your identity, address and age;
- to manage your scheduled repayments and one-off repayments with direct debit companies;
- to compile statistical information regarding activities on the platform we have established (including, but not limited to, credit scoring information);
- to prevent and to defend against potential fraudulent and other unlawful conduct;
- to provide services to borrowers and to lenders;
- to process transactions and to administer customer accounts;
- to comply with our legal obligations under relevant statutes that apply to us;
- to comply with our contractual obligations under relevant contracts that may directly or indirectly benefit the individual from whom we have collected the information;
- to send information updates, marketing materials and newsletters to current and prospective borrowers and lenders and other individuals who have consented (either expressly or impliedly) to receive such information and materials provided that they have not opted out from receiving such information and materials;
- to seek the participation of current and prospective borrowers and lenders and other individuals (on a voluntary basis) in advertising campaigns, events, launches, testimonials and focus groups;
- to improve our services, the lending platform we operate, our website, our other means of communicating with our current and prospective lenders and borrowers and our customer experience generally; and
- to directly market the lending platform, the services we offer to borrowers and to lenders, and the investment opportunity to lenders

To whom we may disclose your personal information

We may disclose personal information we collect to third parties but only on an as-needs basis and in order to facilitate the fulfilment of one or more purposes for which we collected the information, or any secondary purpose related to the primary purpose for which we may be permitted to disclose such information by law.

We may disclose personal information to any of the following groups:

- any of your employers, former employers, referees, banks, landlords, accountants, lawyers and financial advisers; service providers to us (including debt collection agencies, introducers, private investigators, professional advisers);
- our agents, service providers and contractors (including, for example but without limitation, to our agents, service providers and contractors in order to enable them to perform services under contract with us which may directly or indirectly benefit the individual from whom the information was collected);
- to current and prospective borrowers, where we are required to disclose personal information under contracts we have entered into with any of the borrowers;

- to current and prospective lenders, where we are required to disclose personal information under contracts we have entered into with any of the lenders;
- to our related bodies corporate;
- to marketing providers, in order to facilitate the provision of services designed to market us, the platform and the services we provide;
- to third party service providers in order to assist with your loan enquiry, and help you find an appropriate loan provider to suit your needs;
- government departments and agencies, for the purpose of facilitating our compliance with our statutory obligations.

We may disclose personal information (including sensitive information and credit information) about an individual when required by law or court order, or other governmental order or process to disclose, where we believe in good faith that the law compels us to so disclose the information.

Additionally, we may disclose personal information (including sensitive information and credit information) where we are required to do so as a result of any obligations we owe under any contract.

Where we engage third parties to provide products and/or services to us, then those third parties may have access to personal information (including sensitive information and credit information) that we hold about individuals.

We do not authorise those third parties to use or to disclose any personal information we may disclose or allow the third parties to access, except for purposes related to their provision of products and/or services to us, and to otherwise complete their obligations they owe to us.

We use reasonable endeavours to ensure that those third parties maintain the privacy of such information we disclose or make available to them and we use reasonable endeavours to ensure that those third parties destroy or de-identify the information when the information is no longer required by the third party.

Without limiting the foregoing, we may disclose individual's personal information to our business partners and to our advisers, including (but not limited to) auditors, financial services and insurance companies, and to our professional advisers (including our legal and accounting advisers) for them to complete their obligations owed to us under agreements that we have entered into for the purpose of undertaking or furthering our business operations and our activities.

We may disclose personal information if it is reasonably necessary to do so in order to identify, contact or bring legal action against a third party, or to defend an action brought against us by a third party.

Personal information we have collected and hold may be disclosed to third parties in the event we offer to sell and/or sell our business and/or our assets, or shares in us or in our related entities are sold or offered for sale, at or before the time of a merger, acquisition or sale.

We may transfer Personal Data that we maintain about you to recipients in countries other than the country in which the Personal Data was originally collected, including to the United States. Those countries may have data protection rules that are different from those of your country. However, we will take measures to ensure that any such transfers comply with applicable data protection laws and that your Personal Data remains protected to the standards described in this Privacy Policy. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your Personal Data.

Direct marketing

We may directly market the platform, the investment opportunity and the services we provide to you on the basis that you would reasonably expect us to do so, but only where we have already collected your personal information directly from you.

Where we collect information about an individual from a party other than the individual concerned, then we will not use or disclose that information to directly market to that individual unless that individual consents to receiving such communications (such consent may be express or implied).

In directly marketing the platform, the investment opportunity and the services, we will comply with other laws relevant to marketing, including the *Spam Act 2003* (Cth), the *Do Not Call Register Act 2006* (Cth), the *Competition and Consumer*

Act 2010 (Cth) (including the Australian Consumer Law), the *National Consumer Credit Protection Act 2009* (Cth) (including the National Credit Code) and the *Corporations Act 2001* (Cth).

All direct marketing communications which we send will include an easy opt-out procedure if at any time you wish for us to stop sending you marketing communications.

Security

We strive to ensure the security of personal information we collect and hold. We take reasonable steps to protect your personal information from misuse, interference and loss, and from unauthorised access, modification and disclosure.

We regularly review and update our physical and data security measures in light of current technologies and current and predicted future threats to information security. Unfortunately, no data transmission over the Internet or over mobile data and communications services can be guaranteed to be totally secure.

In addition, our employees and contractors who provide products and/or services to us or who have access to personal information we collect and hold are obliged to respect the privacy of any personal information we hold.

We do everything reasonable within our power and control to prevent unauthorised use or disclosure of personal information we collect and hold. However, to the maximum extent permitted by law, we are not responsible for events arising from unauthorised use of or access to personal information except to the extent that such unauthorised use or access is as a result of our failure to comply with our legal obligations concerning the steps taken to secure the personal information we collect and hold.

Additionally, in accordance with our statutory obligations, we will take reasonable steps to destroy or to de-identify personal information when the information is no longer required for the purpose(s) for which the information was collected.

Where we destroy or de-identify personal information, we will endeavour to do so via a secure means.

Quality of the personal information we hold

We take reasonable steps to ensure that the personal information we collect, use and disclose is accurate, complete and up-to-date.

However, the accuracy of the information we hold largely depends on the accuracy of the information supplied to us or which we collect. If at any time you discover that any information we hold about you is inaccurate, out-of-date, incomplete, irrelevant or misleading, please contact us to correct the information.

Accessing and correcting personal information we hold

Where we hold personal information about an individual, subject to the *Privacy Act 1988* (Cth), that individual is entitled (upon request) to access the personal information we hold about that individual.

Where we receive a request to access the personal information we hold about an individual, we will respond within a reasonable time period. Unless it is unlawful or impracticable for us to do so, we will generally provide access to the requested information in the manner requested.

Under the APPs, we are entitled to charge a reasonable fee to cover our costs incurred in providing access to the personal information we hold about an individual.

We reserve the right to verify the identity of the person making the access request, to ensure that we do not inadvertently release or disclose personal information to an individual not entitled to access such information.

Further, we reserve the right to redact information we make available in response to an access request, to protect the privacy of other individuals.

We may from time to time refuse to provide access to the information we hold about an individual, in accordance with the *Privacy Act* and the APPs. Where we refuse access, we will explain the reasons for the refusal in writing and provide details in relation to the relevant complaint process.

As noted above, we take reasonable steps to ensure that the information we collect, hold, use and disclose about an individual is complete, up-to-date and accurate. However, if at any time you believe that personal information we hold about you is incorrect, incomplete, outdated or inaccurate, you have the right to request that we amend such personal information. If we refuse the correction request, we will provide written reasons and information about the complaints process should you not be satisfied with our reasons.

Where information about you is correct and the information has previously been disclosed to third parties, we will take reasonable steps to notify third parties of the correction.

Lodging a complaint

If you wish to complain about an alleged breach of the privacy of your personal information, or if you wish to complain about any other aspect of how we handle your personal information, you may make a complaint to us. The complaint should be made in writing to us and addressed to the attention of our privacy officer. The details of our privacy officer are set out below.

We will promptly acknowledge receipt of your complaint and we will endeavour to deal with your complaint and to provide you with a response within a reasonable time period following our receipt of your complaint (generally within 30 days of receipt).

Where the complaint requires a more detailed investigation, it may take longer to resolve. If this is the case, then we will provide you with progress reports.

We reserve the right to verify your identity and to seek (where appropriate) further information from you in connection with your complaint.

Where required by law, we will provide our determination on your complaint to you in writing.

Please note that, in accordance with the Privacy Act, we reserve the right to refuse to investigate or to otherwise deal with a complaint if we consider your complaint to be vexatious or frivolous.

If you are not satisfied with the outcome of your complaint, you may write to us seeking an internal review of our decision. Such internal review will be completed by an officer not previously involved in the investigation or resolution of your complaint.

If you remain dissatisfied following the outcome of our internal review, you may escalate the complaint to the Office of the Australian Information Commissioner.

Contact Details

In relation to any query, concern or complaint as to how we comply with our privacy obligations, please direct such communications to the following:

Symple Loans Limited
Attn: The Privacy Officer
privacy@sympleloans.com.au