



## UBS AG – AUSTRALIAN PRIVACY AND CREDIT REPORTING POLICY

This policy governs the handling and management of all personal, credit and credit eligibility information in respect of individuals, in the possession of UBS AG or any Australian related body corporate or affiliate of UBS AG (together the "UBS AG Group", or "we") operating within the UBS Investment Bank division in Australia. It does not apply to our handling of commercial credit information of entities that are not individuals.

UBS AG is incorporated in Switzerland. The main business entities within the UBS AG Group with whom you may have a relationship in Australia are UBS AG, Australia Branch, UBS Securities Australia Ltd and UBS Nominees Pty Ltd.

### 1. What Personal Information does the UBS AG Group collect?

A member of the UBS AG Group with whom you ("you") have a relationship or propose to have a relationship will collect, use, hold and disclose personal information that you provide or is gathered through your use of a UBS AG website. You consent to such collection, holding, use and disclosure of your personal information in accordance with the terms of this policy.

The term "personal information", as used in this policy, is as defined in the *Privacy Act 1988* (Cth) (the "Privacy Act"). The types of personal information that the UBS Group may collect and hold will include information used to identify you, your financial position and any other related information necessary or incidental to the financial products and services which the UBS AG Group provide or propose to provide to you. This may include but is not limited to your:

- name;
- contact details;
- bank account information;
- tax file number;
- investment information; and
- employment information.

In some circumstances, the UBS AG Group may gather personal information about you from a third party or from publicly available information. The third parties from whom the UBS AG Group may acquire personal information include, but are not limited to, credit agencies, financial advisers, fund managers or intermediaries and spouses. Should a third party provide a member of the UBS AG Group with your personal information, we assume that you have provided your consent to that third party unless you tell us otherwise. If you have any problems or queries with the UBS AG Group obtaining personal information about you from a third party, you should approach us and the relevant third party.

The personal information that you provide will be information which will enable the UBS AG Group to perform its functions or activities. If you do not provide any of the personal information we request or do not consent to the use, holding or disclosure of your personal information in accordance with this policy, we may not be able to provide you with the products or services you require.

### 2. What Credit Information and Credit Eligibility Information does the UBS AG Group collect?

A member of the UBS AG Group with whom you have a relationship or propose to have a relationship may collect, use, hold and disclose credit information and credit eligibility information. You consent to such collection, holding, use and disclosure of your credit information and credit eligibility 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 Privacy Act.

If you apply for commercial credit or provide a guarantee for commercial credit, the kinds of credit information and credit eligibility information that the UBS AG Group may collect, hold and derive about you may include information used to identify you, your credit worthiness and any other related information necessary or incidental to the financial products and services which the UBS AG Group provide or propose to provide to you. This may include but is not limited to:

- identification information about you, such as your name, date of birth, sex, addresses, employment information and driver's licence number;
- the fact that any credit has been applied for and the amount and type of credit;
- details of your current and previous credit providers, credit limits, and certain terms and conditions relating to your credit arrangements, including start/end dates;
- records of previous requests made by credit providers to credit reporting bodies for information about you in connection with credit applications or guarantees;
- your repayment history information;
- default information about you;
- in relation to any overdue payments, advice about new payment arrangements or that those payments are no longer overdue;
- information about adverse court judgments, personal insolvency records and publicly-available information related to your credit worthiness;
- the opinion of another credit provider as to whether there has been a serious credit infringement (e.g. fraud);
- information derived by credit reporting bodies from the above information (e.g. credit scores, ratings and assessments); and
- information we derive from the above information (e.g. our own credit scores, ratings and assessments).

In some circumstances, the UBS AG Group may gather credit information and credit eligibility information about you from a third party or from publicly available information. The third parties from whom the UBS AG Group may acquire credit information and credit eligibility information include, but are not limited to, credit reporting bodies, financial advisers, fund managers or intermediaries and spouses.

The credit information that you provide will be information which will enable the UBS AG Group to perform its functions or activities. If you do not provide any of the credit information we request or do not consent to the use, holding or disclosure of your credit information and credit eligibility information in accordance with this policy, we may not be able to provide you with the products or services you require.

### **3. How will the UBS AG Group use your Personal Information?**

The UBS AG Group is extremely conscious of the importance of adequately protecting your personal information. You may be assured that all reasonable measures will be taken by the UBS AG Group to protect the confidentiality and security of your personal information. The purposes for which the UBS AG Group will use your personal information will depend upon the relationship that you have with the UBS AG Group. For example, your personal information will be used to:

- provide you with a financial or related service;
- monitor the quality of the service that we provide to you and our clients;
- administer, improve and further the services we provide our clients;
- offer you further services, which may include using your personal information for



- marketing purposes (in which case we will give you the opportunity to request that your personal information not be used for future direct marketing); or
- comply with regulatory or legal requirements. These laws and regulations include, but are not limited to, the *Corporations Act 2001* (Cth), *Proceeds of Crime Act 1987* (Cth), *Anti-Money Laundering and Counter Terrorism Financing Act 2006* (Cth), relevant rules of relevant stock exchanges and ASIC Market Integrity Rules.

You should be aware that the UBS AG Group will be entitled to use your personal information for any purpose which is related to the purpose for which your personal information was originally provided by you.

#### **4. How will the UBS AG Group use your Credit Information and Credit Eligibility Information?**

We collect, hold, use and disclose credit information and credit eligibility information about you for the following purposes:

- to assess applications for credit;
- to assess whether to accept an individual as a guarantor in relation to credit;
- to assist you to avoid defaulting on your credit obligations;
- to notify other credit providers or a credit reporting agency body of a default by you;
- to assess your credit worthiness;
- offer you further services, which may include using your credit information and credit eligibility information for marketing purposes (in which case we will give you the opportunity to request that your credit information and credit eligibility information not be used for future direct marketing); or
- comply with regulatory or legal requirements. These laws and regulations include, but are not limited to, the *Corporations Act 2001* (Cth), *Proceeds of Crime Act 1987* (Cth), *Anti-Money Laundering and Counter Terrorism Financing Act 2006* (Cth), relevant rules of relevant stock exchanges and ASIC Market Integrity Rules.

#### **5. Storage of your Information**

Your information will be held in a secure environment either in writing, electronically or both. We have security measures in place which are intended to protect your information that we hold from misuse, interference and loss, and from unauthorised access, modification or disclosure. You may obtain further details on the exact nature of where and how your personal information is held by contacting us using the contact details provided in clause 6.

With the exceptions detailed within this policy, your information will only be available to UBS AG Group employees on a need-to-know basis in order to perform their obligations and duties.

#### **6. Access, Correction Rights, and Complaints**

Should you wish to know what information the UBS AG Group holds about you, you may request to view this information by contacting our Data Protection Office:

*Mail: c/- Data Protection Office  
UBS  
Level 16, 2 Chifley Tower  
Chifley Square  
Sydney NSW 2000*

We will promptly investigate your enquiry and provide you with appropriate answers where required or permitted. We may charge a reasonable fee for access to this personal information.



Should you discover that any information is outdated, incorrect or incomplete you may request to have the information corrected and the UBS AG Group will promptly update its records.

You may also contact the Data Protection Office if you have any questions on our compliance with the Privacy Act or if you wish to make a complaint about our handling of your information, including a failure by us to comply with the Privacy Act or the Credit Reporting Privacy Code (the "CR Code") in our handling of your credit information and credit eligibility information.

Your complaint should first be made in writing to UBS AG Group, as required by the Privacy Act. We will endeavor to respond to a complaint within 30 days. If an issue has not been resolved to your satisfaction, you can lodge a complaint with the Australian Financial Complaints Authority ("AFCA"). AFCA provides fair and independent financial services complaint resolution that is free to consumers.

Website: [www.afca.org.au](http://www.afca.org.au)

Email: [info@afca.org.au](mailto:info@afca.org.au)

Telephone: 1800 931 678 (free call)

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

If you remain dissatisfied with the outcome of the complaint following its determination by AFCA, you may lodge a complaint with the Office of the Australian Information Commissioner.

## **7. Disclosure to Third Parties**

You acknowledge and agree that your information may be disclosed to any of the following third parties:

- any regulatory, governmental organisation or industry or legal body which governs the conduct of any part of UBS AG Group's business in any jurisdiction or as required by law or regulation. Whilst not exhaustive, the UBS AG Group may need to disclose your information to regulatory bodies such as the Australian Securities & Investments Commission and relevant stock exchanges;
- related bodies corporate of the UBS AG Group whether in Australia or any overseas jurisdiction;
- a third party who is supplying a service to a member of the UBS AG Group whether in Australia or any overseas jurisdiction. The UBS AG Group may provide your personal information to third parties including information technology maintenance companies, software providers and share registries;
- UBS AG's financial advisers, legal advisers or auditors;
- your representatives (including your legal adviser, mortgage broker, financial adviser, executor, administrator, guardian, trustee, or attorney);
- where permitted by law, debt collection agencies or other lenders;
- any other third party provided that we obtain your prior written consent; or
- as otherwise permitted by law.

## **8. Disclosure of Personal Information to Related Bodies Corporate and third parties outside Australia**

You acknowledge and agree that if you supply your information to any member of the UBS AG Group, this information may be transferred between related bodies corporate or to third parties who supply services to a member of the UBS AG Group.

These related bodies corporate and third parties to whom your information may be transferred, may be located throughout the world (including but not limited to China, Hong Kong, India,



Poland, New Zealand, Singapore, Switzerland, United Kingdom, and United States of America) and be registered and governed by laws outside the Australian jurisdiction. As such, the laws regulating a related body corporate may differ to Australian laws and may apply a greater or lesser standard of protection for your personal information.

The UBS AG Group, however, is very conscious of the need to adequately protect clients' personal information. Should your personal information be transferred to a jurisdiction with inadequate privacy protection, the UBS AG Group will take reasonable steps to ensure that the relevant overseas recipient does not breach the Australian Privacy Principles set out in the Privacy Act in relation to such information.

## **9. Credit reporting bodies**

Credit reporting bodies are allowed under the Privacy Act and the CR Code to handle credit information and use such information to derive credit reporting information. The Privacy Act and the CR Code limit what we can do with the information we obtain from a credit reporting body.

If you apply for commercial credit or offer to act as guarantor for commercial credit, we may disclose your credit information to, or collect credit reporting information about you from, a credit reporting body. This information is used for the purpose of determining your eligibility for credit, and we may process the information to assess your suitability for credit.

Credit reporting bodies may include your credit information in credit reporting information that they provide to credit providers to assist those providers in assessing your credit worthiness.

The credit reporting bodies we deal with are:

- Equifax Australia (previously known as Veda Advantage) - <https://www.equifax.com.au/contact>

For contact details and information on how these credit reporting bodies manage your credit information and credit reporting information, please see their privacy policies available at the links above.

Credit reporting bodies offer a service to credit providers wishing to send direct marketing material about credit services to individuals. This is called "credit pre-screening". You have the right to request that the credit reporting bodies do not use your credit reporting information for this purpose. To opt out of credit pre-screening, contact the credit reporting body, using the contact details on their websites noted above.

You can also ask a credit reporting body not to use or disclose your credit reporting information for a period if you believe on reasonable grounds that you have been or are likely to be a victim of fraud.

## **10. UBS AG Group Websites**

Many UBS AG Group websites to which you may have access utilise "cookies". A cookie is an electronic mechanism which can trace your access and use of personal information contained within our websites. Should you use any UBS AG Group website you consent to the use of cookies by any member of the UBS AG Group. Any information obtained through the use of cookies will be used to enhance the products and services that the UBS AG Group provides to you.

## **11. Sensitive Information**

A member of the UBS AG Group may be required to collect sensitive information about you in order to provide the service or product you have requested. Sensitive information is defined in



the Privacy Act and includes information about an individual's racial or ethnic origin, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, criminal record, or health information. We will only collect sensitive information about you with your consent or as otherwise permitted by law. You have consented to such collection in accordance with this policy.

**12. Exemptions**

This policy does not apply in respect of acts and practices of UBS AG Group which are directly related to an employee record of a current or former employee.

**13. Changes to this policy**

We reserve the right, at our discretion, to modify or remove any part of this policy at any time. You should review this policy from time to time so that you are updated on any changes.

**1 November 2018**