

Privacy Statement & Consent

Effective Date
7 November 2011



MyState Financial Limited (MyState)

ABN 89 067 729 195

AFSL 240896

Australian Credit Licence Number 240896

A wholly owned subsidiary of MyState Limited

ABN 26 133 623 962

Privacy Statement and Consent

In this Privacy Statement and Consent, “MyState”, “we” or “us” means MyState Financial Limited ABN 89 067 729 195 and any subsidiary as advised to you from time to time.

This statement should be read by each individual applying for a financial product or service from or through MyState and by each individual who provides personal information to MyState in connection with the application for the product or service (for example, a guarantor or nominated account signatory).

About this Statement

At MyState the privacy of your personal information is important. MyState is bound by the National Privacy Principles contained in the *Privacy Act 1988 (Cth)*.

This statement explains how MyState collects, uses and discloses personal information. Personal information is information about and which identifies individuals, including, for example, an individual who is an applicant and an individual who may simply be referred to in the application (such as a referee, guarantor or nominated account signatory). It includes information obtained from any source and, in respect of individual loan applicants and guarantors (if any), includes anything about credit worthiness, standing, history and capacity which, under or in accordance with the *Privacy Act 1988*, may lawfully be exchanged. The kinds of personal information held generally include: name, personal details, date of birth, tax file number, contact details and account details. Depending on your relationship with MyState we may also hold information concerning your financial details, including your assets and liabilities, information about your employment details, employment circumstances, family commitments and social security eligibility, insurance cover, credit history, investment preferences and aversion or tolerance to risk.

We will not use or disclose your information otherwise than as set out in this statement, for a purpose you would reasonably expect, a purpose required or authorised by law, or a purpose otherwise disclosed to, or authorised by, you.

Why we collect personal information

We collect personal information primarily to assess your application for a MyState product and/or facility and if your application is successful, to provide the service you have requested.

If you do not provide all of the information we require we cannot assess your application, or subsequently provide what you have requested.

How we collect your personal information

We will only collect information by lawful and fair means and not in an unreasonably intrusive way.

This information is generally obtained directly from you, for example, when you contact us in person or telephone us or visit our websites. There may be instances when personal information is obtained from a third party (e.g. credit reporting agency or an insurer of goods that you provide for security purposes).

We generally do not collect sensitive information from you, for example, health information, unless this is necessary to provide you with a specific product or service.

Our websites contain links to other websites whose operator may or may not adhere to a privacy policy or be governed by the National Privacy Principles.

Our websites use cookies which allow us to identify your browser while you are using our site. Cookies do not identify you; they simply allow us to track usage patterns so that we can measure the level of interest in various areas of our site. All browsers allow you to be notified when you receive a cookie and elect to either accept it or not. Your Internet service provider should be able to assist you to set your preferences. More website security information is available from our website at mystate.com.au

It is necessary for us to collect your IP address for your interaction with various parts of our website. Your IP address is the identifier for your computer when you are using the Internet. For instance, we collect and store your IP address when you log into Internet Banking. As part of our security, we use this information when we attempt to detect and prevent fraudulent transactions in online access. We store your IP address for security and audit purposes. Your IP address will not be used by us or released to any third party except in the case of security, inappropriate behaviour or fraud issues, such as unauthorised access to your or our computer systems or fraudulent transactions.

How do we hold or store information

We will take reasonable steps to protect personal information we hold about you against loss and against access, use, modification or disclosure that is unauthorised. Only authorised users can access your personal information, and access is only for approved purposes.

Your personal information may be stored in hard copy documents, as electronic data, or in MyState's software or systems.

We maintain physical security over our paper and electronic data stores and premises. We also maintain computer and network security; for example, we use firewalls (security measures for the Internet) and other security systems such as user identifiers and passwords to control access to computer systems.

MyState will require all staff with access to your personal information to maintain confidentiality concerning that information. All employees sign confidentiality agreements as a condition of working for MyState.

How we handle email

We will preserve the content of any email that you send us, if we believe that we have a legal requirement to do so. Your email message content may be monitored by us for security issues including where email abuse is suspected; our response to you may be monitored for quality assurance issues.

Correction of information

We endeavour to ensure that, at all times the personal information we hold is up to date and accurate. If the information is incorrect, you may request the correction of your information. If MyState is satisfied that the relevant information is incorrect, it will make the requested correction.

Purposes for which we collect and use personal information

- a. You agree that personal information about you, which may at any time be provided to us in connection with a facility for which application is made, may be held and used by us to assess and process the application, to establish, provide and administer the facility and to execute your instructions.
- b. You agree that, in assessing an application for consumer credit or commercial credit or, if relevant, in assessing whether to accept you as a guarantor, we

may seek and obtain consumer credit information and commercial credit information about you from a credit reporting agency or personal information from another financial institution or credit provider and may give personal information about you to another financial institution or credit provider.

- c. You also agree that we may hold and use personal information about you, which may at any time be provided to us in connection with a facility for which you make application to us, for the purpose (as relevant) of:
- considering any other application you may make to us;
 - complying with legislative and regulatory requirements;
 - performing administrative functions, including accounting, risk management, record keeping, archiving, systems development, credit scoring and staff training;
 - providing banking and other financial services
 - managing our rights and obligations in relation to external payment systems;
 - enabling MyState to conduct market or customer satisfaction research;
 - developing, establishing and administering alliances and other arrangements (including rewards programs) with other organisations in relation to the promotion, administration and use of our respective products and services;
 - enabling MyState to develop and identify products and services that may interest you; and
 - (unless you ask us not to) enabling MyState to provide you with information about other products and services.
- d. If the facility for which your application is made is an “account”, as defined in the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*, the collection by us of some information to verify your identity and address is required by that Act. Otherwise, the collection of information about you is not required by law, but without it, we may not be able to provide you with the facility for which you apply.
- e. We are obliged pursuant to the Corporations Act 2001 to maintain certain transaction records and make those records available for inspection by the Australian Securities and Investments Commission.
- f. Where personal information which we collect about you is sensitive information (such as information about health status, membership of a professional or trade association or a criminal record), you nevertheless consent to its collection by us.

Disclosure of personal information

You agree that we may collect personal information about you from, and disclose it to, the following, as appropriate, even if the disclosure is to an organisation overseas which is not subject to privacy obligations equivalent to those which apply to us:

- credit reporting agencies and debt collecting agencies;
- other financial institutions and credit providers;
- mortgage insurers used by us and reinsurers of any such mortgage insurer;
- our agents, contractors and external advisers whom we engage from time to time to carry out, or advise on, our functions and activities;
- your agents and contractors, including your finance broker, legal adviser, financial adviser, builder and settlement agent;
- your executor, administrator, trustee, guardian or attorney;
- your referees, including your employer;
- regulatory bodies, government agencies, law enforcement bodies and courts;
- any person who introduces you to us;
- other organisations with whom we have alliances or arrangements (including rewards programs) for the purpose of promoting our respective products and services (and any agents used by us and our business partners in administering such an arrangement or alliance);
- anyone supplying goods or services to you in connection with a rewards program associated with the facility;
- external payment systems operators;
- your and our insurers or prospective insurers and their underwriters;
- your guarantors and prospective guarantors;
- an organisation proposing to fund the acquisition of or acquire, any interest in any obligation you may owe us (whether under a loan, guarantee or security), that organisation's agents, persons involved in assessing the risks and funding of the acquisition and, after acquisition, the purchaser and any manager;
- potential purchasers for the purpose of them conducting due diligence investigations in the event that we propose to sell our business. Any such disclosure will be made in confidence and it will be a condition of that disclosure that no personal information will be used or disclosed by them. In the event that a sale of our business is effected, we may transfer your personal information to the purchaser of the business. As a customer you will be advised of any such transfer.

- any person to the extent necessary, in our view, in order to carry out any instruction you give to us; and
- (unless you tell us not to) other organisations (including our related bodies corporate) for the marketing of their products and services.

Consequences of not providing requested personal information

If you do not consent to providing certain pieces of personal information referred to in this statement you may be exposed to higher risks in respect of the recommendations made to you and may affect the adequacy or appropriateness of advice we give to you. In addition we may not be able to provide you with a particular product or service.

Personal information about third parties

You represent that, if at any time you supply us with personal information about another person (for example, a referee or a person to whom a payment is to be directed), you are authorised to do so. You agree to inform that person who we are, that we will use and disclose their personal information for the purposes set out above, and that they can gain access to that information.

Privacy complaints

We understand though, that sometimes you may feel unhappy with some aspects of our products and services.

If you have a complaint or concern, we have a clear process to receive, respond to and resolve it.

If a product or service does not meet your expectations, we want to know about it. Your feedback is important to us and it provides us with the opportunity to continually improve our services.

We are committed to resolving customer concerns in a timely and professional manner.

Making a Complaint

Be prepared

Before you contact us be prepared with any supporting documents or evidence you think will help clarify your concern. When you make your complaint, be clear about what has happened and what you would like us to do.

Contact us in Person or via Telephone

If you have a complaint or concern you should first contact us on 138 001 or call into your nearest MyState Branch. In most situations the Service Consultant will be able to resolve the matter at that time. If we are unable to resolve the matter

at that time, we will follow up with the appropriate area and keep you advised of the progress whilst the matter is being investigated.

Write to us

You may also raise your concerns by completing the 'Complaint Form' in the *Resolving your Complaints* brochure, available at any MyState Branch or by calling 138 001, or documenting separately the details of your complaint and handing it in at your nearest MyState Branch or mailing it to us. All relevant supporting documentation should be included.

Written complaints can be forwarded to:

Complaints Officer
MyState
GPO Box 1274
HOBART TAS 7001

You can also email your complaint or concern to:
mycomplaint@mystate.com.au

What you can expect from MyState

Our aim is to respond to your complaint promptly and resolve it quickly. This can often be done when you first contact us, either by phone or in person at a MyState Branch.

If we cannot resolve your concern or complaint immediately, we will continue to investigate the situation promptly, and will try to resolve the problem within 21 days. If we need more information or more time to investigate we will write to you advising that it will take longer. In no case will we allow a complaint to remain unresolved longer than 45 working days without a written response.

What if you are not satisfied with our response

On occasions, you may remain dissatisfied with our response. The next step is to ask for the matter to be reviewed by a Senior Manager of MyState. Please ensure that you include your customer number on your request, and provide the reason why you are dissatisfied with the initial response and the outcome you are seeking to resolve the dispute.

We will respond within 14 days of receipt of your request, or contact you to advise that the investigation will require additional time. Please forward your request to:

Complaints Officer
MyState
GPO Box 1274
Hobart TAS 7001

You can also email your request to:
mycomplaint@mystate.com.au

If we cannot resolve the issue to your satisfaction

If, despite everyone's best efforts to reach a positive outcome you remain dissatisfied with MyState's response,

you may wish to have the matter investigated by someone other than MyState.

Should you remain unhappy with our final response, you have the right to have your claim dealt with by the Financial Ombudsman Service (FOS). MyState is a member of FOS, an external dispute resolution scheme approved by the Australian Securities and Investments Commission. FOS is an independent organisation offering free and accessible dispute resolution services to financial services consumers across Australia.

The Financial Ombudsman Service can be contacted by:

Telephone 1300 780 808

Fax 03 9613 6399

Post GPO Box 3 Melbourne VIC 3001

Email info@fos.org.au

Web www.fos.org.au

If you have a complaint or concern about the collection or use of your personal information or a breach of privacy and we are unable to resolve your dispute, the matter can be referred to the Office of the Privacy Commissioner who may investigate your complaint further.

They can be contacted on 1300 363 992
or at GPO Box 5218, Sydney NSW 2001.

The Australian Securities and Investments Commission (ASIC) www.asic.gov.au also has an Infoline 1300 300 630, which you may use to make a complaint and obtain information about your rights. Alternatively, you can detail your complaint in an email to infoline@asic.gov.au

To find out more, call MyState on 138 001 or visit your local Branch.

Access to your personal information and contacting us

- a. Subject to the provisions of the Privacy Act 1988, you may access personal information which we hold about you at any time by asking us. We will endeavour to respond to any request for access within 14-30 days depending on the complexity of the information and/or request. You may request information through any MyState Branch, our Service Centre or mail, but depending on the circumstances and the complexity of your request we may require your request for access in writing. We may charge you a fee for accessing your personal information. You will be advised at the time of your application for access of the applicable fee. In some circumstances, the Privacy Act permits us to deny access. If we deny your request for access, we will let you know why.
- b. Notwithstanding anything else in this statement, you may, at any time, tell us that you do not wish to receive any direct marketing communication and/or not to disclose your information to any other organisation (including related bodies corporate) for their marketing purposes. You may do this by contacting us as detailed.

Further information

If you have a query relating to our privacy practices please contact us by:

Phone on 138 001 during business hours
Monday to Friday

Email info@mystate.com.au

Writing to the address below:

The Privacy Officer
MyState
GPO Box 1274
Hobart TAS 7001

How to contact MyState

138 001

mystate.com.au

Mail: MyState

GPO Box 1274

Hobart Tasmania 7001

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