

# PRIVACY POLICY

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## INTRODUCTION

PowerTorque Finance (we, our or us) understand that your personal information and credit information (information) is important to you and we value your trust. This Privacy Policy sets out how we will manage and protect your information. It also includes how we manage the information we collect from third parties, such as your credit report through the credit reporting system.

## WHO ARE WE?

PowerTorque Finance is a division of Toyota Finance Australia Limited ABN 48 002 435 181, AFSL and Australian Credit Licence 392536 which is a related company of Toyota Motor Corporation Australia Limited ABN 64 009 686 097 (TMCA).

We are bound by the *Privacy Act 1988* (Cth) (Privacy Act) and the Australian Privacy Principles (APPs). These laws regulate how certain entities manage personal information. As a participant of the credit reporting system, we are also bound by the credit reporting rules in the Privacy Act. Refer to the 'Credit reporting' section for more information about our credit reporting practices.

You can contact us about this policy by calling 137 800 or by emailing [privacy@powertorquefinance.com.au](mailto:privacy@powertorquefinance.com.au). If you prefer, you can contact us without identifying yourself or by using a pseudonym. However, if you do not identify yourself, we may not be able to provide you with our products and services.

## WHAT INFORMATION DO WE COLLECT AND HOLD?

The kinds of information that we collect and hold about you will depend on the nature of your dealings with us. It may include, but is not limited to, your name, contact details, residential information, drivers licence, vehicle registration, marital status, financial or credit information, and your education and employment details and history.

If you do not provide us with complete and accurate information, we may not be able to assess your application or provide you with our products and services.

## HOW DO WE COLLECT YOUR INFORMATION?

Where possible, we collect information directly from you. This may take place in a number of ways, for example, in a written application for credit, through face-to-face meetings with you or when you contact us via phone or our website.

Where it is not reasonable or practicable to collect information directly from you, we may also collect your information from, and exchange your information with, third parties. For example, we may collect your information from:

- accountants for the purposes of assessing a credit application;
- where an individual is an officer of a company that has applied for credit, we may collect information about the officer from public records or from other officers of the company who arranged that company's credit application;
- when named as a personal referee by you, we collect that personal referee's personal information from the written credit application form;
- the motor vehicle dealership where a vehicle is purchased or finance with us is arranged;
- another credit provider where you have or had a credit account;
- the Credit Reporting Body (CRB) where we obtain your credit report;
- your insurer or broker; and
- other parties you refer us to or who refer us to you.

Sometimes we may collect information about you from other sources such as public registers or social media. This information can be combined with other information we hold about you and can be used for any of the purposes listed in this policy. We also collect your information from our website. Refer to the section 'Privacy and our website' for more information.

## WHAT ARE THE PURPOSES FOR WHICH WE COLLECT, HOLD, USE AND DISCLOSE YOUR INFORMATION?

We collect, hold, use and disclose your information for the purposes for which it was collected and related purposes, including:

- to meet our legal obligations including to identify you in accordance with the *Anti-Money Laundering and Counter-terrorism Financing Act 2006* (Cth) and to meet our responsible lending obligations under the *National Consumer Credit Protection Act 2009*;
- to provide you or your company with consumer credit or commercial credit;
- to assess your guarantor application;
- to source any required insurances;
- to administer our customer relationships;
- to manage your credit contract;
- to assist with the purchase of your new vehicle and related finance and insurance;
- to manage vehicle servicing or any other services related to your vehicle;
- to enable us and third parties to contact you about products and services, special offers, promotions or events that may be of interest to you;
- for planning, product development and research;
- to assess your hardship application where we may collect your sensitive information;
- to comply with our legal obligations and assist government and enforcement bodies or regulators;
- to assess and consider applications from prospective job applicants, contractors and service providers; and
- contracting out some of our functions to external service providers and suppliers (such as mailing houses, print companies, technology service providers and marketing and advertising agencies).

We may also collect, hold, use and disclose your information in other ways where permitted by law, and may use or disclose your information to other third parties and for other purposes with your consent. That consent may be written, verbal or implied from your conduct.

## WHO DO WE DISCLOSE YOUR INFORMATION TO?

We may collect your information from, and exchange your information with, our related bodies corporate including, but not limited to, TMCA. This is so that we and our related bodies corporate, may adopt an integrated approach to our customers including keeping customer information up to date or for any of the purposes mentioned in this policy.

We may exchange your information with other third parties including, but not limited to:

- your introducing dealer;
- our accredited motor vehicle dealer network;
- the vehicle manufacturer (including TMCA);
- any authorised distributor or supplier of the vehicle that is the subject of the finance or any extended warranty taken out in connection with that vehicle;
- any insurance provider;
- other credit providers to assess your application or manage your credit;
- the servicing dealer;
- a guarantor, if a finance arrangement is guaranteed;
- your employer or former employer;
- government and law enforcement agencies and regulators;
- public registrars;
- a dispute resolution body of which we are a member (for example, the Australian Financial Complaints Authority); or
- third party organisations who are contracted to us to provide a particular service on our behalf.

Some examples of the kinds of third party organisations contracted to us include:

- mailing houses;
- printers;
- debt collection agencies; and
- lawyers.

We may also exchange your information with third parties where permitted by law, or for direct marketing by us or any of these third parties (but this will not include credit eligibility information), or for any of the other purposes outlined in this policy.

## CREDIT REPORTING

We participate in the comprehensive credit reporting system to enable us to make better and more informed decisions about providing credit to our customers. When you apply for credit with us, or propose to be a guarantor, we may request a credit report about you from a CRB. Credit reports contain information about your credit history that will help us assess your creditworthiness and your ability to repay credit.

### What credit information and credit eligibility information do we collect and hold?

The credit information we collect and hold includes your identification details, the type of credit you hold, the amount of credit borrowed, the terms and conditions of your credit, when your credit was opened or closed, whether or not you have met your repayment obligations under your loan contract and loan contracts with other credit providers, and information about your creditworthiness. The credit eligibility information we collect and hold includes credit reports obtained from a CRB and our own rating or score which help us to assess your creditworthiness.

### What do we do with credit information and credit eligibility information?

We collect, hold, use and disclose credit information and credit eligibility information about you for purposes which include:

- confirming your identity;
- assessing your consumer or commercial credit or guarantor application;
- managing your account and collecting any overdue payments;
- helping you avoid defaulting on your loan;
- complying with any relevant laws and regulations.

We will use the information obtained from a CRB, and combine it with information we already hold about you, to calculate our own rating or score to help us assess your creditworthiness.

We may also disclose to the CRB if you have not met the payment obligations under your loan contract or if you have committed a serious credit infringement (for example, fraud). Some of the information we disclose to a CRB may be included in your credit report and provided to other credit providers to help them assess your creditworthiness.

We may disclose your information to any of the following CRBs:

- illion – [illion.com.au](http://illion.com.au) – 13 23 33
- Experian – [Experian.com.au](http://Experian.com.au) – 1300 783 684
- Equifax – [Equifax.com.au](http://Equifax.com.au) – 13 83 32

If you would like to know how these organisations manage your information, you can get a copy of their policies on their websites or by calling the numbers above.

### What are your rights?

You have the right to ask a CRB not to use your information for the purpose of pre-screening of direct marketing by a credit provider. You can ask them not to use or disclose this information for a period of time if you reasonably believe that you have been, or are likely to be, a victim of fraud.

## HOLDING AND PROTECTING YOUR INFORMATION

We hold information about you (including credit information) in both physical and electronic forms.

The security of your information is very important to us so we take all reasonable steps to protect it from misuse, loss, unauthorised access, modification or disclosure.

For example, we ensure that:

- each of our offices has security protocols in place to prevent unauthorised entry;
- access to your information is restricted to only the personnel who need it to perform their duties;
- any internally and externally hosted secure servers which store your information in electronic form have the necessary encryption protocols; and
- all of our personnel are appropriately trained in protecting the security of your information including maintaining physical security over paper records and destroying or de-identifying your information once it is no longer needed.

## DISCLOSING YOUR INFORMATION OVERSEAS

We may from time to time, disclose your information to organisations located overseas. These include:

- our related companies in Japan and elsewhere in the world; or
- our service providers or third parties that are located or hold data outside of Australia.

In all instances, we make sure that appropriate data handling arrangements are in place to protect your information.

## DIRECT MARKETING

From time to time, if we are permitted by law to do so, we or any of the third parties referred to the section 'Who do we disclose your information to?' of this policy may exchange and use your information to tell you about any products or services, including special offers, promotions and events that may be of interest to you. We may also send you material relating to joint promotions with motor vehicle dealers and our business associates of our respective products and services.

If you do not wish to receive any marketing information, you can let us know by contacting our National Customer Solutions Centre on 137 800 or at [privacy@powertorquefinance.com.au](mailto:privacy@powertorquefinance.com.au)

If the law requires us to provide you with information about our products or services, we will provide that information even if you have elected not to receive information about our products and services generally.

## ACCESSING AND CORRECTING YOUR INFORMATION

You can generally access and request the correction of information we hold about you by contacting our National Customer Solutions Centre on 137 800 or at [privacy@powertorquefinance.com.au](mailto:privacy@powertorquefinance.com.au)

We may charge an access fee to recover the reasonable costs incurred. This charge is only designed to help us reasonably recover the costs associated with providing you with access and does not apply to the making of the request. Before we act on a request, we will provide an estimate of the access fee and ask you to agree to it.

Access to your information may be refused in a number of circumstances, such as where the information relates to anticipated legal proceedings or if the request for access is frivolous or vexatious. If we deny or restrict your access, we will write to you to let you know why, unless, having regard to the grounds for the refusal, it would be unreasonable for us to do so. You may make a complaint about a refusal to the Office of the Australian Information Commissioner.

We rely on the information that we hold about individuals to conduct our business. Therefore, it is very important that the information we hold is accurate, complete, up to date and relevant. This means that, from time to time, we may ask you if there are any changes to your information. If you find that any information that we hold about you is incorrect, you should contact us immediately and we will take reasonable steps to correct it.

## RESOLVING CONCERNS

If you believe that the privacy of your information has been compromised, or if you feel that we have breached the privacy laws, you are entitled to make a complaint. Complaints can be made by contacting the person or department you were dealing with, by calling our National Customer Solutions Centre on 137 800 and asking for the Privacy Officer, or by emailing [privacy@powertorquefinance.com.au](mailto:privacy@powertorquefinance.com.au)

We will respond to you within 24 hours to acknowledge the complaint and explain how we will investigate it. This may include consulting with the CRB or other credit providers. We will try to resolve your complaint within 30 days and write to you to explain the reasons for our decision. When this is not possible, we will contact you and let you know how long it will take for us to resolve your complaint.

If your complaint is not satisfactorily resolved, you may access the Australian Financial Complaints Authority at [www.afca.org.au](http://www.afca.org.au) or by calling 1800 931 678. You may also refer your complaint to the Office of the Australian Information Commissioner by visiting [oaic.gov.au](http://oaic.gov.au), calling 1300 363 992 or emailing [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

## PRIVACY AND OUR WEBSITE

The type of information we collect about you from our website depends on how you make use of the site.

When you visit the site, we record your server address, domain name, the date and time of the visit and the pages viewed. This information may be collected using cookies (data sent to the user's browser, which generally allows our site to interact more efficiently with your computer). If you disable the use of cookies, the use of our site may be affected. Information collected about your visit to our site is retained for statistical and website development reasons and is not stored in a form that would enable us to identify you.

When you visit the site you will not be required to provide us with your information unless you request information about our products or services. In that case, we will ask you to provide contact details and any other information required to respond to your request. The information provided may also be retained for product planning purposes and, unless you ask us not to do so, for marketing purposes.

Although we take steps to protect information sent by email, email is not a secure method of communication. If you are concerned about sending your information to us in this manner, you may instead call our National Customer Solutions Centre on 137 800.

## REMARKETING

We use Google Adwords Remarketing to advertise our products and services across the internet. Third party vendors, including Google, use cookies to display relevant ads based on your past visits to our website. Google Remarketing allows us to tailor our marketing to better suit your needs and display ads that are relevant to you. We respect your privacy and any data collected will be used in accordance with our privacy policy, Google's privacy policy or the privacy policy of other remarketing services that we may use.

If you do not wish to participate in our Google Adwords Remarketing, you can opt out by visiting Google's Ads Preference Manager ([myaccount.google.com/u/0/privacy?pli=1#ads](https://myaccount.google.com/u/0/privacy?pli=1#ads)). You can also opt out of any third party vendor's use of cookies by visiting the Network Advertising Initiative opt-out page at [www.networkadvertising.org](http://www.networkadvertising.org)

## AMENDMENTS

We may change this Privacy Policy at any time by publishing the amended version on our website.

**PowerTorque Finance**

National Customer Solutions Centre

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