

1. Privacy at flexigroup – Our Privacy Policy

Background

At flexigroup it is important to us that we manage your Personal Information securely and consistently with relevant legislation, including the Privacy Act 1993 (**Privacy Act**) as well as the Credit Reporting Privacy Code (where applicable).

This Policy outlines how flexigroup and its related companies, including Flexigroup (New Zealand) Limited, Flexi Cards Limited, Columbus Financial Services Limited, Consumer Financial Services Limited, Consumer Insurance Services Limited, Flexi Financial Services Limited, Retail Financial Services Limited, Fisher & Paykel Finance Limited, Flexi Finance Limited, Consumer Finance Limited, Flexigroup NZ SPV1 Limited, Flexigroup NZ SPV2 Limited, Flexigroup NZ SPV3 Limited, Wiired (New Zealand) Limited, TRL Leasing Limited (**we / us**) collect, disclose, use, store or otherwise handle Personal Information.

This Policy is effective as at June 2020. Sometimes we will update it – you can always find a current version at <https://www.flexigroup.com.au/privacy-policy>.

This Policy explains:

- the kinds of Personal Information (as defined in the Privacy Act) we collect, and the purposes for which we do that;
- how we manage the Personal Information that we collect about you;
- how you can seek access to and correction or deletion of your Personal Information; and
- if necessary, how you can make a complaint relating to our handling of your Personal Information.

This Policy relates to our customers, guarantors of customers, employees and contractors and other individuals who deal with us, whether in relation to the provision of credit or otherwise and includes interactions you may have with us using our websites, apps and by telephone.

2. What is Personal Information?

Personal Information has the meaning set out in the Privacy Act being information about an identifiable individual (for example, your name and date of birth) (**Personal Information**). It also includes Credit Information as defined in the Credit Reporting Privacy Code 2004 (for example your payment history, amount of credit extended and credit scores) (**Credit Information**).

3. Personal Information we may collect

Personal Information generally

We will collect certain information about you depending on the circumstances in which the product or service is being provided. This information can include:

- **key Personal Information** such as your name, residential and business

addresses, telephone numbers, email and other electronic addresses, drivers license number, passport number;

- **financial and related information**, such as your occupation, accounts, assets, credit score, expenses, income, dependents, banking transaction history and regarding your employment, financial and business dealings and other relevant events;
- **your transaction history** (with us and our associates or relevant third parties) such as products you may have used, your payment history, and the capacity in which you have dealt or deal with us;
- **other relevant information** - depending on the circumstances this may also include health and medical information (e.g. if it is relevant to a hardship request), membership of professional bodies, tax file number information (other government identifiers (e.g. if relevant to identifying you)); and
- **online/device information** - information collected if you use our websites, apps and social media profiles such as your social media handles, IP address and GPS location data of your device, the operating system and browser your computer used to view the website, time, duration and date of your visit and pages you viewed.

If you do not wish to provide us with your Personal Information (including Credit Information), we may not be able to provide our products or services to you, respond or assist with your queries or may not be able to provide you with full access to all features of our products or services.

4. How we collect your Personal Information

In many circumstances, we will collect the above information primarily from you (or from someone who is representing or assisting you). This includes information collected when you access our websites, apps or social media profiles and contact our call centre. Some of this information is collected using cookies (please see section 12) or other tracking technology. However, there are also certain instances in which we will collect information about you from third parties where it is unreasonable or impracticable to collect it directly from you. For example, even where your application is for consumer credit, we may collect information about you from a business which provides information about commercial credit worthiness for the purpose of assessing your application.

Other third parties that we may collect your information from include:

- our agents, retailers, dealers and brokers
- your co-applicant (if any);
- your employers, accountant, referees, banks, landlords, guarantors, lawyers, financial advisers or others with whom you have previously had dealings or persons assisting you who you direct to provide information to us;
- other flexigroup entities that may have

information about you;

- Credit Information – credit reporting agencies and other credit providers who may have Credit Information about you relevant to us;
- relevant credit reporting agencies and other identification service providers who may have identification information about you, for the purpose of fulfilling our requirements under Anti-Money Laundering and Counter Financing of Terrorism (AML/CFT) legislation;
- publicly available sources (e.g. internet sources or a search of white pages);
- card schemes;
- insurers (such as insurers who provide insurance in relation to your credit);
- your executor, administrator or attorney;
- service providers to us (including debt collection agencies, introducers, private investigators, professional advisers);
- professional organisations;
- public and subscriber only databases;
- any person considered necessary in our view to execute your instructions; and
- government authorities.

We may also use this information to provide you with details of our Services that may be relevant to you, and to ask for your opinion of our Services from time to time.

We may communicate with you by email and other electronic means.

5. Purposes for which we may collect, hold, use and disclose your Personal Information

Personal Information we collect about you will only be held, used and disclosed as is reasonably necessary for our business purposes and as permitted by law.

Purposes for which we will usually hold, use and disclose your Personal Information, depending on the circumstances and the nature and products and services you are obtaining from us, include:

(i) *Providing our products and services to you*

- deciding whether to provide a product applied for or service requested (this might include evaluating your credit worthiness, or deciding whether to accept you as a guarantor);
- providing products or services, including related arrangements (e.g. where we provide you with a credit to make a purchase, or where our product is a payment service, that includes arranging for the purchase to be paid for or the payment to be made);
- managing the products and services that we provide;
- the ongoing monitoring of credit worthiness;
- detecting and preventing instances of fraud, unlawful conduct, and other risks to you or our products and services;
- ensuring fast and accurate approval and processing of payment transactions including via cheque;
- administering your insurance policy, assess any insurance risks or claims

associated with you or our products or services;

- dispute and complaint resolution, and assisting other credit providers to do the same; and
- enforcing our rights, including the collection of outstanding payments and, where necessary, initiating legal proceedings.

(ii) Complying with our legal obligations

- participating in the credit reporting system and providing information to credit reporting agencies;
- assisting customers in meeting their credit related obligations;
- dealing with serious credit infringements and assisting other credit providers to do the same;
- verifying your identity as may be required from time to time by the Anti-Money Laundering and Counter Financing of Terrorism Act 2009 (AML/CFT);
- verifying your identity using electronic sources. In order to do so, we will ask you for your details (such as your name, address and date of birth) and details of your identification documents, which will be passed to external organisations in order to electronically match your information with identification data on their databases; and
- complying with New Zealand laws and regulations that may specifically require us to collect your Personal Information, and any overseas laws where collecting your information is necessary for us to comply with our obligations.

(iii) Assisting us to manage our business

- undertaking review and maintenance of our systems and infrastructure;
- undertaking research and development regarding potential products and services;
- undertaking securitisation activities and other activities relating to funding and capital requirements;
- compiling statistical data e.g. credit scoring information;
- for training, quality control and verification purposes; and
- for recruitment purposes, including assessing a candidate's suitability for a position with us.

(iv) Marketing our products or services to you

- enabling our associated entities and selected other entities to promote their products and services to customers;
- marketing products and services provided by us and our related entities;
- providing you with information about other products and services, including those of selected third parties, including by mail, email and telephone (including SMS) for example, information about other services provided by our related entities or any of our retailer partners; and
- developing an understanding of the products and services you may be interested in receiving from us and our related entities.

If you do not want us to send you any marketing or promotional materials, you can opt out of these services by following the unsubscribe instructions in the promotional message itself, by changing your marketing preferences in your online product portal (if this service is available) or via telephone.

Even if you opt out of our marketing communications there are certain operational emails and other correspondence that we will still need to send you such as statements or any changes to your interest rates or finance product/finance agreement (as applicable) with us.

6. Links to other websites

Our website or other communications to you may contain links to other websites. These websites have their own privacy policies in relation to your Personal Information and we have no responsibility for linked websites, or their communication with you, and provide them solely for your information and convenience. We encourage you to be aware when you leave our website and to read the privacy statement of each and every website that you visit.

7. Disclosing your Personal Information to third parties (including overseas)

Where the Privacy Act permits it, we may disclose your Personal Information (including credit-related information) for the purposes above to third parties. These external organisations will record, use and disclose your information in accordance with their own privacy policies and legal obligations.

Other third parties that we may disclose your Personal Information to include:

- your co-applicant (if any);
- related entities based in New Zealand or overseas;
- credit reporting agencies that may include the information we provide to them in their reports in order for them to conduct an assessment of your credit worthiness including when you request an increase to your credit limit or a variation to your existing arrangements with us.
- entities that provide services to us such as mailing houses or call centre operators;
- entities providing other services to us, including legal services, financial services, market research and data providers;
- our assignees or potential assignees, or where we act as an agent for, or otherwise on behalf of, another person, to the principal or that other person;
- the supplier of any goods or services financed with credit we provide;
- retailers, where the payment or credit service provided by us involves payments to the retailer for goods or services to be provided by them;
- other financial institutions or entities such as banks and credit providers;
- identification service providers;

- insurers, assessors, underwriters, brokers and other distributors;
- government regulatory bodies in New Zealand and overseas;
- guarantee or security providers;
- organisations involved in debt assignment or securitisation arrangements;
- debt collectors or other enforcement bodies;
- entities who wish to be involved in our business, or acquire an interest in our business;
- third parties you authorise to act on your behalf or that are otherwise connected with you (such as your accountant, legal representative, referee or an access seeker acting on your behalf to obtain your credit report); and
- law enforcement agencies.

Some of these entities may not be located in New Zealand and may not have a New Zealand link. For example, we employ service providers in countries such as the Philippines, Australia and Ireland.

In addition, although many of the retailers we deal with are in New Zealand, some of them are overseas. Therefore, when you ask us to make a payment to or to provide credit for a product or service from such a retailer, we will provide information to that retailer and also to banks and other financial institutions, who may also be overseas, who are involved in processing that payment. These entities are not our service providers, and we do not control how they manage your information.

8. Quality, Access to and Correction of Information

Your consumer credit information may also be disclosed, where relevant, in many of the circumstances described above. In addition, where the Privacy Act permits it, we are permitted to disclose your credit information to credit reporting agencies for the purposes above. Credit reporting agencies may include the information we provide to them in their reports in order for them to conduct an assessment of your credit worthiness. If you fail to meet your payment obligations to us in relation to consumer credit or commit a serious credit infringement, we may be entitled to disclose that information to credit reporting agencies. Credit reporting agencies must comply with the Credit Reporting Privacy Code – further information on the code is available at www.privacy.org.nz.

You are entitled to:

- **opt out of direct marketing pre screenings:** credit reporting agencies often use credit information to assist credit providers to market their products and services. If you do not want a credit reporting agency to use your credit information in this manner, the Privacy Act gives you the right to request you be excluded from being contacted.

You should contact the relevant credit reporting agency directly if you wish to request this; and

- **request non-disclosure where you believe you have been, or are likely, a victim of fraud:** if you believe that you are a victim of fraud, or are likely to be a victim of fraud, then you can request that a credit reporting agency not use or disclose any of your credit information. You should contact the relevant credit reporting agency if you wish to request this.

9. How we hold and protect your Personal Information

We will hold your Personal Information in paper or other physical form, but it is usually held in electronic form on our systems. Service providers may hold the information for us. Your Personal Information is protected by various physical, electronic and procedural safeguards. Where a service provider holds your information, we require those service providers to adhere to our approved standards of security and confidentiality to ensure the continuing protection of your Personal Information.

We train staff who handle your Personal Information to ensure that your Personal Information is handled appropriately. Our procedures ensure that your Personal Information is only made available to staff where necessary. We will also only keep your Personal Information for as long as necessary to achieve the purpose for which it was collected. If your Personal Information is no longer required by us, we will either destroy the information or de-identify it so you can no longer be identified.

10. Your ability to access and correct your Personal Information that we hold (including Credit Information)

You have specific rights under New Zealand law in relation to requesting access to and correction of Personal Information we hold about you.

You can request access to the Personal Information we hold about you subject to certain exceptions under the Privacy Act. You are entitled to specify how you wish to access your Personal Information, so long as this is reasonable and practicable. Subject to any lawful grounds for withholding, we will provide you with copies of Personal Information we hold about you.

We take every step that is reasonably practicable to ensure that the Personal Information we collect, use and disclose is accurate, complete and up-to-date. The Privacy Act gives you the right to request correction of the Personal Information we hold.

If you want access to your Personal Information or to make a request for correction of Personal Information, you can contact us using the details below:

Phone: 0800 444 827 or 09 525 8550
Email: Privacy.Officer@flexicards.co.nz
Address: Privacy Officer
FlexiGroup (New Zealand)
Limited
PO Box 90935
Victoria St West
Auckland 1142

We verify the identity of anyone requesting access to Personal Information, so as to ensure that we do not provide that information to a person or people who do not have the right to access that information.

If we do not agree to your request for correction or cannot provide you with access to certain Personal Information we hold about you for legal reasons, we will give you notice of this outlining our reasons and what next steps you can take. You may also request us to associate a statement with that information to the effect that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading so that it is apparent to users of the information. We may charge you our reasonable costs of providing to you copies of your Personal Information or correcting that information.

11. Personal Information about other persons

If you provide us with Personal Information about any other person, for example a referee, a co-applicant, a shareholder or beneficial owner, you confirm that, prior to disclosing information about them to us, you have received their consent to do so and you have told them:

- that you are providing this information to us;
- of our contact details set out in this Privacy Policy
- the reason you are providing their information; and
- the fact that we collect, use and disclose Personal Information as set out in this Privacy Policy.

12. Cookies

One way of collecting information is through cookies. Cookies are small text files that websites send to your computer or other Internet-connected device to uniquely identify your browser or to store information or settings in your browser. Cookies allow us to recognise you when you return. They also help us provide a customised experience. To find out more about the way cookies work, how to see what cookies have been set and how to manage and delete them visit www.allaboutcookies.org.

In many cases, the information we collect using cookies and other tools is only used in a non-identifiable way, without reference to Personal Information. For example, we use information we collect about website users to optimise our website and to understand website traffic patterns.

- Third party vendors, including Google, use cookies to serve ads based on your prior visits to their websites.
- Google's use of the DART cookie

enables it and its partners to serve advertisements to you based on your visit to sites and/or other sites on the Internet.

- You may opt out of the use of the DART cookie by visiting the advertising opt-out page. (Alternatively, you can opt out of a third-party vendor's use of cookies by visiting the Network Advertising Initiative opt-out page.

You can use Ads Settings to manage the Google ads you see and opt out of interest-based ads. Even if you opt out of interest-based ads, you may still see ads based on factors such as your general location derived from your IP address, your browser type and recent, previous searches related to your current search.

13. AdWords

We use the Google AdWords remarketing service to advertise on third party websites (including Google) to previous visitors to our site. This could be in the form of an advertisement on the Google search results page, or a site in the Google Display Network. Third-party vendors, including Google, use cookies to serve ads based on someone's past visits to our website. Any data collected will be used in accordance with this Privacy Policy and Google's privacy policy. You can set preferences for how Google advertises to you using the Google Ad Preferences page.

14. Privacy complaints, disputes and queries

If you have any questions about this privacy policy and/or a concern or complaint about the way we have handled your Personal Information, please contact us using the details below:

Phone: 0800 444 827 or 09 525 8550
Email: Privacy.Officer@flexicards.co.nz
Address: Privacy Officer
FlexiGroup (New Zealand)
Limited
PO Box 90935
Victoria St West
Auckland 1142

Once we receive your complaint, we will respond to you within a reasonable period of time, usually within 20 working days.

Please note, that where your complaint relates to your Credit Information, we may consult with a credit reporting body or other credit provider in order to investigate and resolve your complaint. Depending on the type of complaint, it may also be necessary for us to consult with other third parties.

If your complaint is not handled satisfactorily by us, you may wish to contact the Privacy Commissioner at www.privacy.org.nz.