



## BANK OF CHINA AUSTRALIAN OPERATIONS PRIVACY POLICY

We, **Bank of China Limited, Sydney Branch** ABN 29 002 979 955 AFSL No. 230547 and **Bank of China (Australia) Limited** ABN 28 110 077 622 AFSL and Australian Credit Licence No. 287322 (jointly and severally referred to as “**Bank of China**”, “**we**”, “**us**” and “**our**” in this Privacy Policy) are committed to providing the highest degree of privacy compliance in accordance with the *Privacy Act 1988* (Cth) (“**Privacy Act**”) and will manage your personal information in accordance with the *Australian Privacy Principles (APPs)* set out in the Privacy Act. The APPs govern how we collect, use, hold and disclose your personal information, as well as ensuring the quality and security of your personal information held by us.

### ***What is your personal information?***

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in a material form or not.

### ***What personal information do we collect?***

The personal information we collect may include:

- contact details such as your telephone, facsimile and e-mail address;
- identification details such as your name, residential address, gender, marital status, date of birth, nationality, place of birth, and verifying documents such as your driver’s licence or passport;
- banking and financial details such as transactions relating to your account, your tax file number, annual income, source of income and account details with other banks including loan account numbers;
- for credit and loan facilities, information such as your occupation, balance sheet, copies of bank statements, credit reference checks and employment details;
- personal preferences such as your preference for language when communicating with us; and
- information about the products and services we have provided to you.

We may collect personal information where it is required or authorised by or under an Australian law or a court/tribunal order. In certain circumstances we may be required to collect your name, address, date of birth, and other verification information and verifying documents under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) and *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No.1)* (Cth). If you have applied for credit or provide a guarantee, we may collect personal information about your financial position pursuant to the *National Consumer Credit Protection Act 2009* (Cth), and if you give us a mortgage security or other security interests, certain identification information under property laws in some Australian states and territories or the *Personal Property Securities Act 2009* (Cth). We may collect your tax file number if you choose to provide it as authorised by the *Income Tax Assessment Act 1936* (Cth) and other taxation laws. We may also be required to request your tax residency status under information sharing agreements between the Australian Government with other countries, such as the agreement between Australia and the United States (US) under US law (*Foreign Account Tax Compliance Act*), that requires us to ask account holders of some products whether they are US citizens or US tax residents. If you are a tax resident of another country, the relevant treaty or law may require us to collect your relevant foreign tax identification number.

### **Sensitive information**

The Privacy Act protects your sensitive information, such as health information that we may collect on a hardship application. If we need to collect your sensitive information, we will only do so with your consent, except where otherwise permitted by law.

We only collect personal information about individuals that is necessary for our business.

### ***For what purposes do we collect, hold, use and disclose your personal information?***

We collect personal information about you so that we can provide you with banking services and products, perform our business activities and functions and provide you with the best possible quality of customer service and to comply with our legal obligations.

We collect, hold, use and disclose your personal information for the following purposes:

- establishing your identity and assessing your applications for our products and services
- providing you with the products and services you request;
- providing you with customer support;
- monitoring and evaluating our products and services;
- responding to your queries or requests for assistance (including hardship applications) or complaints;
- in order to detect and prevent fraud and financial loss;
- administering our customer relationships, services, products, systems and business functions;
- complying with our legal obligations and meeting government and law enforcement agencies or regulators requirements, including our obligations under applicable anti-money laundering and counter-terrorism financing and sanctions laws, or a court/tribunal order;
- developing and researching our products and services;
- conducting appropriate checks for credit-worthiness;
- maintaining and developing our information technology systems, including the testing and upgrading of these systems; and
- providing you with information relating to our products or services that we believe may be of interest to you.

We will not use or disclose your personal information for any other purpose without your consent or unless required or authorised by law.

### ***How do we collect personal information?***

We collect personal information when you apply for a banking service or product or make an inquiry at one of our branches or offices, over the telephone, via our website or through our service providers, our mortgage brokers or our authorised agents.

Unless it is unreasonable or impractical for us, we will collect the information we need from you directly. In some circumstances, we will request your consent to collect information from a third party. For example, with a loan facility we may need to confirm income and employment details from your employer or from your accountant/tax agent and also obtain a credit report from a credit reporting body. We may also collect personal information from mortgage brokers. Depending on the type of banking service or product provided, we may also need to source publicly available information about you held at registries such as the Australian Securities & Investments Commission, the Personal Property Securities Register or the land and property registry office of your State or Territory in Australia.

Where our customer is a business, company or other legal entity such as a trust or partnership, we may collect personal information about individuals associated with those entities such as partners, directors, officers, trustees, agents, beneficiaries, company secretaries, settlors, beneficial owners, verifying officers, account signatories, or shareholders.

### ***What happens if we can't collect your personal information?***

You have the right not to provide us with any of the information we request when you apply for any of our products or services. However, if you do not provide us with your personal information, some or all of the following may happen:

- we may not be able to provide the requested products or services to you, either to the same standard or at all;
- we may not be able to provide you with information about products and services that you may want, including information about special promotions; or
- we may delay, block or refuse to make a payment or action an instruction relating to your account or your transaction.

### ***Cookies***

When you access our website, we may send a "cookie" (which is a small file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. We may also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We may use this to research our users' habits so that we can improve our online information, products and services. We do not collect personal information through the use of cookies on our website. However, if you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

We may also log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, track users movements, and gather broad demographic information.

### ***To whom may we disclose your personal information?***

Unless you have had instructed us otherwise, we may disclose your personal information to the following third parties:

- our related bodies corporate within the Bank of China group of entities worldwide for the purpose of secure storage and processing and for providing services to you and us;
- credit providers for credit related purposes such as credit-worthiness or financing or, unless you instruct us not to, referees or persons with whom you transact or to another financial institution for facilitating direct debits;
- credit reporting bodies;
- our agents, contractors, brokers and insurers;
- authorised representatives and credit representatives who sell products and services on our behalf;
- other organisations, who jointly with us, provide products or services to you;
- other financial institutions for purposes including servicing our relationship with you, processing your banking transactions, protecting you from fraud and helping us to fight financial crimes;

- our local Australian clearing agent bank, which participates in the cheque clearing system on our behalf, enabling our customers' cheques to clear;
- payment systems operators, service providers and participants;
- card scheme participants; loyalty program redemption partners;
- when compelled by law, to certain government or regulatory bodies such as the Australian Tax Office and the Australian Transactions Reports and Analysis Centre (AUSTRAC) or to law enforcement agencies with appropriate authority;
- fraud bureaus or other organisations to identify, investigate or prevent fraud or other misconduct;
- external dispute resolution schemes;
- if necessary, to our professional advisers including lawyers and auditors, consultants;
- to your duly authorised representatives, for example, under Power of Attorney, legal representatives or accountants; and
- service providers, including those who assist us when we outsource various services and business functions including information technology support, bulk mailing or agents who collect personal information on our behalf. In all cases, our agreements with those service providers will protect the confidentiality of your personal information so that the service providers are unable to disclose your personal information for any other purpose.

If you are under 16 or have special needs, we may share your information with your parent or legal guardian or any person appointed to manage your affairs.

### ***Direct marketing materials***

We may send you direct marketing communications and information about our products and services that we consider may be of interest to you. These communications may be sent in various forms, including mail, SMS, fax, email or other electronic means. You consent to us sending you those direct marketing communications by any of those methods. If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. In addition, at any time you may opt-out of receiving marketing communications from us by contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list.

### ***Sending personal information overseas***

We may disclose personal information overseas to our overseas related bodies corporate and service providers in order to complete a particular transaction (for example, the remittance of a money transfer), in order to produce our banking cards, or in the normal course of the administration of banking services (for example, for audit purposes or for loan approval purposes if required). We may also disclose your personal information overseas for the purpose of running our customer call center.

It is not practicable for us to list every country in which such recipients are located but it is likely that such countries:

- where we will disclose information to our related companies or branches will be located include Bahrain, Belgium, Brazil, Cambodia, Canada, China, Dubai, France, Germany, Hong Kong, Hungary, Indonesia, Italy, Japan, Korea, Luxembourg, Macau, Malaysia, Mongolia, Netherlands, New Zealand, Panama, Philippines, Poland, Republic of Kazakhstan, Russia, Singapore, Sweden, Taiwan, Thailand, United Arab Emirates, UK, USA, Vietnam, Zambia and other countries which we may notify you of from time to time (including at the time of collecting your information);
- where we will disclose information to third party service providers include British Virgin Islands, Cayman Islands, China, Hong Kong and New Zealand and other countries which we may notify you of from time to time (including at the time of collecting your information).

In the course of a multi-jurisdiction transaction we may also disclose your personal information to our lawyers located in the relevant jurisdictions.

### ***Security measures we take to protect your information***

We recognise the importance of protecting your personal information. We have taken all reasonable steps to ensure that only authorised staff have access to your information for properly designated purposes. We have policies and procedures in place to prevent misuse, loss, unauthorised access, modification and disclosure of your information.

Where your information is kept in hard-copy form, it is in secured premises with restricted access. Information in electronic form is stored in databases and requires logins and security passwords accessible only to designated staff. We also detect and prevent unauthorised access to buildings by employing physical and electronic means such as card reader security access, camera surveillance and security guards.

### ***Links***

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy practices, policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices.

### ***How can you access your information?***

You may request access to any personal information we hold about you at any time by contacting us using the contact details below. Where we hold information that you are entitled to access, we will try to provide you with a suitable means of accessing it (for example, by mailing or emailing it to you).

We will process your request within a reasonable amount of time which in most cases will not exceed 14 days from the date we receive your request. We will inform you within 14 days if a longer period of time is needed to respond.

There are circumstances in which the Privacy Act allows us to deny access to personal information. For example, where access would impact on the privacy of others such as where your personal information is held in conjunction with that of another individual or individuals (for example, in the case of a joint account).

***No fee applies to lodging a request for access to your information.*** However, we may charge you an access fee to reimburse us for any reasonable cost of providing the information you request. Before we act on your request, we will give you an estimate of how much this service will cost and ask you whether you want to proceed.

### ***Correction of Information***

We take all reasonable precautions to ensure that the personal information we collect, use or disclose is accurate, complete and up to date. Our ability to do so depends to a large extent on the information you provide which is why we urge you to:

- advise us immediately if there are any errors in your personal information; and



- always ensure you advise us of changes to your personal information such as name, address and contact telephone numbers.

If you believe that any personal information that we hold about you is incorrect, incomplete or inaccurate then you may request us to amend it by completing a correction form which we will provide to you if you contact us via any of the contact details set out below

### ***What is the process for complaining about a breach of privacy?***

If you believe that your privacy has been breached, please contact us using the contact information below and provide details of the incident so that we can investigate it. For security, we may ask you to put your complaint in writing and to verify your identity.

We will attempt to confirm as appropriate with you your understanding of the conduct relevant to the complaint and what you expect as an outcome. We will inform you whether we will conduct an investigation, the name, title, and contact details of the investigating officer and the estimated completion date for the investigation process.

After we have completed our enquiries, we will contact you, usually in writing, to advise the outcome and invite a response to our conclusions about the complaint. If we receive a response from you, we will assess it and advise if we have changed our view. If you are unsatisfied with the outcome, we will advise you about further options including, if appropriate, review by the Privacy Commissioner within the Office of the Australian Information Commissioner or the Financial Ombudsmen Service Limited, whose contact details are as follows:

#### **The Privacy Commissioner**

Office of the Federal Privacy Commissioner  
GPO Box 5218  
Sydney NSW 1042  
Phone: 1300 363 992  
Internet: <http://privacy.gov.au>  
Email: [privacy@privacy.gov.au](mailto:privacy@privacy.gov.au)

#### **Financial Ombudsman Service Limited**

GPO Box 3, Melbourne VIC 3001  
Telephone 1300 78 08 08 or (03) 9613 7366 9am – 5pm AEST  
Facsimile (03) 9613 6399  
Email: [info@fos.org.au](mailto:info@fos.org.au)  
Website: [www.fos.org.au](http://www.fos.org.au)

### ***How can you contact us?***

If you have any questions about this privacy policy, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please use the contact link on our website or contact our Compliance Officer using the details set out below. We will treat your requests or complaints confidentially.

Please contact our Compliance Officer at:

By writing to:

Compliance Officer



Legal and Compliance  
Bank of China Ltd  
39-41 York Street  
SYDNEY NSW 2000

By telephone on:

1-800-092-009 (toll-free); or  
+61 2 8235 5810 between 9:00am and 5:00pm Monday to Friday AEDT (not available on NSW  
public holidays)

### ***Changes to our Privacy Policy***

Bank of China may change our Privacy Policy from time to time for any reason. If we do, we will publish an updated version on our website at [www.bankofchina.com/au](http://www.bankofchina.com/au).

This Privacy Policy was last updated 20 July 2015.

# Bank of China

## Credit Reporting Policy

### 1 Purpose and application of this policy

- 1.1 This credit reporting policy (**Credit Reporting Policy**) describes and establishes how **Bank of China Limited**, Sydney Branch ABN 29 002 879 955 and **Bank of China (Australia) Limited** ABN 28 110 077 822 (**we, us** or **our**) manage Credit-Related Information about individuals in accordance with the credit reporting obligations contained in the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Credit Reporting Code as registered under section 26S(1) of the Privacy Act.
- 1.2 We are credit providers for the purposes of the Privacy Act. If you are an individual, we may conduct a credit check on you (as a customer or as a director, partner or an authorised representative or otherwise as a guarantor or security provider of a customer) before we provide the credit applied for.
- 1.3 The Privacy Act and this Credit Reporting Policy do not apply to information about companies or other entities who are not individuals. However, this policy will apply where we request that a director or other authorised individual guarantees the credit to be provided by us to a company or other entity, but only in respect of any uses of that individual's Credit-Related Information as part of our assessment of the suitability of that individual as a guarantor or any other purposes permitted by the Privacy Act.
- 1.4 For information about our management of your other personal information, please see our **Privacy Policy** available at [www.bankofchina.com/au](http://www.bankofchina.com/au)

### 2 Glossary of terms

In this Credit Reporting Policy:

**Consumer credit** is credit provided through a credit provider that is intended to be used wholly or primarily for personal, family or household purposes; to acquire, maintain or improve residential property for investment purposes; or to refinance consumer credit for either of these purposes.

**Commercial credit** is credit other than consumer credit.

**CP Derived Information:** Personal information that a credit provider derives from Credit Reporting Information that was disclosed by a Credit Reporting Body to a credit provider, that has a bearing on an individual's credit worthiness, and is, has or could be used in establishing eligibility for consumer credit.

**CRB Derived Information:** Personal information derived by Credit Reporting Body from Credit Information held by the Credit Reporting Body that has any bearing on an individual's credit worthiness and is or has been or could be used to establish the individual's eligibility for credit.

**Credit Eligibility Information:** Personal information that is Credit Reporting Information that was disclosed by a Credit Reporting Body to a credit provider or CP Derived Information.

**Credit Information** is defined in the Privacy Act to refer to specific kinds of personal information, including:



- identification information (such as name, date of birth, sex, address, employer, driver's licence number);
- consumer credit liability information in relation to consumer credit, including the credit provider, the type of credit, the date, terms and maximum amount of credit of any consumer credit contract and the date of termination or any consumer credit contract;
- repayment history-information in relation to consumer credit, including whether repayment obligations are met, the day on which payment is due and the day of which a payment is made;
- information requests made by a credit provider to a Credit Reporting Body;
- the type and amount of credit sought in an application in connection with which a credit provider has made an information request to a Credit Reporting Body;
- default information in relation to consumer credit about an overdue payment:
  - by a debtor: of not less than \$150, that is at least 60 days overdue for which a written notice, that the amount is overdue and payment is requested, has been given; or
  - by a guarantor: at least 60 days have passed since a written notice has been given of a debtor's default for payment and request to pay the overdue amount by the guarantor was made;
- where a credit provider has previously reported default information to a Credit Reporting Body;
- payment information that an overdue payment has been paid on a certain date; and
- new arrangement information that the terms and conditions of the original consumer credit has been varied or that new consumer credit has been provided;
- court proceedings information being information on Australian court judgments against an individual in relation to any credit provided to or applied for by the individual;
- personal insolvency information such as bankruptcy and other insolvency information recorded on the National Personal Insolvency Index;
- publicly available information about credit worthiness (that is not otherwise court proceedings information or information recorded on the National Personal Insolvency Index);
- opinion by a credit provider that the individual has committed a serious credit infringement in, as defined by the Privacy Act, relation to consumer credit.

**Credit-Related Information** refers to Credit Information, Credit Eligibility Information and CRB Derived Information as those terms are defined in the Privacy Act and as summarised in this section 2.

**Credit Reporting Body** is an entity that collects, holds, uses and discloses personal information about an individual for the purpose of providing other entities with information about the credit worthiness of an individual, for permitted purposes.

**Credit Reporting Information:** Credit Information or CRB Derived Information. This information is generally held by a Credit Reporting Body and disclosed to a credit provider.

**Personal information** is defined in the Privacy Act as information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

### **3 Collection of Credit-Related Information**

- 3.1 In addition to collection of personal information about you in accordance with our Privacy Policy which is available at [www.bankofchina.com/au](http://www.bankofchina.com/au), we may collect, hold, use and disclose certain credit-specific information about you, including Credit-Related Information. We may obtain this information from you or from third parties (such as persons acting on your behalf or persons acting on our behalf), including from an application for credit, joint credit applicants, Credit Reporting Bodies and other credit providers or from public sources in order to assist us in determining whether we will provide any credit to you (or to your related company or other entity).
- 3.2 Credit-Related Information about you collected and held by us includes the kinds of information as set out in the definition of Credit Information.
- 3.3 Credit Eligibility Information about you held by us includes Credit Reporting Information (in the form of a credit report received from a Credit Reporting Body) and CP Derived Information. The kinds of CP Derived Information that we usually derive from Credit Reporting Information disclosed to us by a Credit Reporting Body include summaries of what the Credit Reporting Body has provided to us and any credit rating or credit assessment score we have derived relating to your credit worthiness.

### **4 Our use and disclosure of your Credit-Related Information**

- 4.1 We may use the Credit-Related Information that is collected and held by us to help us decide whether or not to provide credit to you (or to a customer or your related company or other entity). We may also use this information to derive or calculate a credit assessment score in relation to you, which will then help us in conducting our assessment of your creditworthiness.
- 4.2 The Credit-Related Information that we hold about you may be used by us in accordance with Part IIIA of the Privacy Act and the Credit Reporting Code. The purposes for which we use your Credit-Related Information may include:
- (1) using your Credit-Related Information to assess your application for consumer credit and with your consent, to assess your application for commercial credit;
  - (2) using your Credit-Related Information to collect payments that are overdue and owed to us in respect of consumer credit
  - (3) using your Credit-Related Information, with your consent, to collect payments that are overdue and owed to us in respect of commercial credit;
  - (4) using your Credit-Related Information, with your consent, to assess your suitability as a guarantor in relation to an application for consumer credit or commercial credit by a customer or your related company or other entity;
  - (5) using your Credit-Related Information to manage the credit (including reviewing the facility) that we have provided to you (or a customer or your related company or other entity);
  - (6) using your Credit-Related Information to undertake investigations if we believe on reasonable grounds you have committed a serious credit infringement;

- (7) using your Credit-Related Information to assist you to avoid defaulting on obligations in relation to consumer credit;
- (8) disclosing to a potential guarantor or person who has provided security for commercial credit ,with your consent;
- (9) disclosing to a guarantor or a person who has provided security for commercial credit, either with your consent, or where we enforce a guarantee for commercial credit without your consent;
- (10) disclosing your Credit-Related Information to our head office in China or any of our related companies worldwide to whom functions we have outsourced to, including for the purpose of secure data storage and processing and for providing services to you and us.
- (11) disclosing your Credit-Related Information to the Credit Reporting Bodies that we deal with as follows:

**Veda Advantage Ltd** of Level 15, 100 Arthur Street North Sydney NSW 206  
[www.veda.com.au](http://www.veda.com.au)

Tel: 1300 762 207

Credit Reporting Bodies collect different types of Credit-Related Information about individuals and use that information to provide a credit-related service to their customers (including to us). Information may be given to a Credit Reporting Body before, during or after the provision of credit and is limited to Credit Information we collect. We may provide information to a Credit Reporting Body for each review of your facility and we may obtain a credit report from a Credit Reporting Body for the purpose of such review;

- (12) disclosing your Credit-Related Information to other third parties that provide services to us (or to you on our behalf) for purposes permitted by the Privacy Act. These might include professional advisers, contractors, agents, brokers, mailing-houses, debt collectors, credit management agencies and other third parties that process applications for credit made to;
- (13) disclosing your Credit-Related Information, with your consent, to other credit providers which provide, or are considering providing, credit to you (or to your related company or other entity) or for other particular purposes permitted by the Privacy Act;
- (14) using and disclosing Credit-Related Information that we hold about you to assess and respond to any access or correction requests that you make to us;
- (15) where we are consulted by a Credit Reporting Body or another credit provider about an access or correction request that you have made to those entities, to respond to that consultation request;
- (16) where you complain to the Information Commissioner or any provider of a recognised external dispute resolution scheme about our treatment of your Credit-Related Information, to respond to that complaint and to seek legal or other professional advice in relation to your complaint;
- (17) using and disclosing Credit-Related Information that we hold about you as required by Australian law or the order of a court or tribunal;
- (18) disclosing your Credit-Related Information to another credit provider or regulatory or law enforcement body (as defined in the Privacy Act) if we believe on reasonable grounds that you have committed a serious credit infringement;

- (19) disclosing your Credit-Related Information to mortgage insurers;
- (20) using and disclosing Credit-Related Information for securitisation related purposes and securitisation arrangements;
- (21) disclosing Credit-Related Information to any entity or professional, legal or financial advisers for specified purposes permitted under the Privacy Act;
- (22) any specific parties which we have advised at the time of collection of personal information, such as an employer, estate agent or referee; and
- (23) where you otherwise expressly consent to the use or disclosure.

We will only disclose or use Credit Eligibility Information where it is permitted by the Privacy Act.

## **5 Other matters relating to your Credit-Related Information**

5.1 Where required by law, we will make a written note (which may be kept in electronic form) of any use or disclosure that we make relating to your Credit-Related Information.

5.2 If:

- (1) you (or your related company or other entity) make an application for credit to us; or
- (2) you offer to guarantee credit that we propose to provide to your related company or other entity,

and we subsequently refuse your application or offer based on information provided to us by a Credit Reporting Body about you, we will inform you of this and provide you with the name and contact details of that body and any other information required by law to be provided to you.

## **6 How we hold your Credit-Related Information**

6.1 We rely on the Credit-Related Information that we receive and hold to assist us in conducting our business. We will take reasonable measures to make sure that the Credit-Related Information that we collect, use, hold and disclose about you is accurate, complete and up-to-date and (in relation to the purpose of our use or disclosure) is relevant to that purpose.

6.2 We take reasonable steps to ensure that the Credit-Related Information that we hold about you is protected from misuse and loss and from unauthorised access, modification or disclosure. Except to the extent specified otherwise in this Credit Reporting Policy, we will securely store all Credit-Related Information that we collect or hold about you in an electronic system located in Australia or China.

6.3 We store information in different ways, including in hardcopy and electronic form. We have implemented certain organisational controls to help us protect your Credit-Related Information from misuse, interference and loss and from unauthorised access, modification or disclosure. These include implementing information technology security policies and systems and imposing access restrictions in relation to the Credit-Related Information that we hold. Our employees and contractors are trained in the protection and appropriate use of your Credit-Related Information and are also bound by confidentiality provisions that apply to their use of Credit-Related Information. From time to time, we may engage service providers to collect and hold information on our behalf.

- 6.4 We will take prompt actions to address any issues that come to our attention where an employee or contractor of ours may have breached the obligations imposed by the Privacy Act and this Credit Reporting Policy. However, we are not responsible for (and do not accept any liability for) the misuse of your Credit-Related Information by unrelated third parties, to the extent permitted by the Privacy Act.
- 6.5 We may also disclose your Credit-Related Information to our related companies or branches located world wide and third party service providers that are located in one or more overseas countries or hold information in overseas countries.

It is not practicable for us to list every country in which such recipients are located but it is likely that such countries:

- where we will disclose information to our related companies or branches will be located include Bahrain, Belgium, Brazil, Cambodia, Canada, China, Dubai, France, Germany, Hong Kong, Hungary, Indonesia, Italy, Japan, Korea, Luxembourg, Macau, Malaysia, Mongolia, Netherlands, New Zealand, Panama, Philippines, Poland, Republic of Kazakhstan, Russia, Singapore, Sweden, Taiwan, Thailand, United Arab Emirates, UK, USA, Vietnam, Zambia and other countries which we may notify you of from time to time (including at the time of collecting your information); and
  - where we will disclose information to third party service providers include China, Hong Kong, New Zealand, Cayman Islands and British Virgin Islands and other countries which we may notify you of from time to time (including at the time of collecting your information).
- 6.6 When personal information is no longer required and if permitted by law, we will destroy or delete it from our systems in a secure manner, or de-identify the information.

## **7 Access and correction of your Credit-Related Information**

- 7.1 You have a right to request access to any Credit-Related Information that we hold about you. If you would like to access the Credit-Related Information that we hold about you, please contact us using the contact details in section 9 (Contacting us) below.
- 7.2 Where we hold Credit-Related Information about you, we provide you with access to this information upon request, including by posting or emailing it to you if you request access to your information in those particular ways. We will generally provide access to you within a reasonable time but may refuse to provide access where we are permitted to do so by law.
- 7.3 You also have a right to request that we correct any Credit-Related Information that we hold about you if you believe that this information is inaccurate, out-of-date, incomplete, irrelevant or misleading. You can make such a correction request by using the contact details in section 9 (Contacting us) below. We will respond to your request within 30 days (or such longer period as you may agree or we may request) in a format that is clear and accessible. However, access will not be given if it would be unlawful to do so, or it would be likely to prejudice enforcement related activities.
- 7.4 We will not charge you for making a request for access or for making any corrections to your Credit-Related Information. However, we may in some circumstances charge a reasonable administrative fee to cover our costs of providing access to you.
- 7.5 If we cannot respond to your correction request without consulting with other credit providers or credit reporting bodies in relation to your request, we may do so and these bodies are permitted by law to assist us in resolving your correction request.
- 7.6 If we agree to your request, we will promptly correct any Credit-Related Information that we hold about you that we are satisfied is inaccurate, out-of-date, incomplete, irrelevant or misleading. If we do correct your Credit-Related Information at your request, we will inform

you and each other credit provider and credit reporting body to which we have previously disclosed that information that we have corrected your information. Where we disclosed your Credit-Related Information after you made a complaint but before it was resolved, we will tell the recipient that you have made such a complaint and we will subsequently inform that entity of the outcome of your correction request.

- 7.7 If we have any other reasons for suspecting that Credit-Related Information that we hold about you has become inaccurate, out-of-date, incomplete, irrelevant or misleading, we may independently decide to correct this information without consulting you. If we do this, we will take reasonable steps to notify that correction to you and to any other entities to which we have previously disclosed that Credit-Related Information (unless it is impracticable for us to do so).

## 8 Complaints

- 8.1 You have a right to complain about any failure by us to comply with the Privacy Act or the Credit Reporting Code in relation to our handling of your Credit-Related Information.

- 8.2 If your complaint relates to our failure to provide access to or to correct any Credit-Related Information that we hold about you, you may lodge a complaint directly to:

- (a) our external dispute resolution scheme provider, Financial Ombudsman Service Limited (**FOS**). FOS is an independent body and resolves disputes between consumers and participating members on matters including privacy. Their contact details are as follows:

Financial Ombudsman Service Limited (FOS)

Tel: 1300 78 08 08 or (03) 9613 7366 Monday to Friday 9AM to 5PM AEST

Fax: (03) 9613 6399

Mail:

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

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

or

- (b) the Office of the Australian Information Commissioner, GPO Box 5218, SYDNEY NSW 2001, Phone: 1300 363 992 or +61 2 9284 9749, Website: [www.oaic.gov.au](http://www.oaic.gov.au) or email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) (for more information, please see <http://www.oaic.gov.au>)

These bodies will then provide you with further information about the next steps in their complaints process.

- 8.3 If you have a complaint in relation to our handling of your Credit-Related Information that is not mentioned in paragraph 8.2, you must first lodge your complaint with us using the details in section 9 (Contacting us) below and provide us with details of the incident so that we can investigate it.

- 8.4 Our procedure for investigating and dealing with complaints (other than those covered by paragraph 8.2) is as follows:

- (1) complaints should be made in writing and submitted to us using the details under section 9 (Contacting us) below;



- (2) we will treat your complaint confidentially. Our representative will investigate your complaint and contact you within a reasonable time after receipt of your complaint to discuss your complaint and the options available to you to resolve it;
- (3) we will endeavour to make sure that your complaint is resolved within a reasonable time of receiving your complaint (and in any event within the time required by the Privacy Act, where applicable):
  - (a) you will receive an acknowledgment of your complaint as soon as practicable and in any case within 7 days after we receive it; and
  - (b) we will investigate all complaints and aim to resolve them within 30 days or such longer period that you agree in writing;
- (4) if you are not satisfied with our handling of your complaint or our proposed resolution, you have a right to lodge a further complaint to:
  - (a) our external dispute resolution scheme provider, Financial Ombudsman Service Limited (**FOS**), contact details of which are provided in sub-section 8.2 above

or

  - (b) the Office of the Australian Information Commissioner, contact details of which are provided in sub-section 8.2 above (for more information, please see <http://www.oaic.gov.au>)

These bodies will then provide you with further information about the next steps in their complaints process.

- 8.5 Where your complaint relates to the correction of your Credit-Related Information and the resolution of your complaint requires us to correct your information, we will inform each other credit provider and credit reporting body that we have previously disclosed your information to that that you have made a correction complaint in relation to that information and that we have corrected your information as a result of the outcome of that complaint. However, if it is impracticable or illegal for us to do so we are not required by law to give this notification.

## 9 Contacting us

- 9.1 We have appointed a dedicated Compliance Officer with responsibility for managing our handling of your Credit-Related Information.
- 9.2 If you have any questions about this Credit Reporting Policy or if you have any concerns or a complaint regarding the treatment of your Credit-Related Information, you should contact our Compliance Officer using the details set out below.
- 9.3 Post: Attn: The Compliance Officer

C/- Legal and Compliance, Bank of China Ltd, 39-41 York Street, SYDNEY, NSW 2000

Tel: 1-800-092-009 (toll free) or +61 2 8235 5810 between 9:00 am and 5:00 pm Monday to Friday AEDT (not available during NSW public holidays or Bank Holiday)

## 10 Changes to our Credit Reporting Policy

- 10.1 We may change this Credit Reporting Policy from time to time, including in order to comply with any future amendments to the *Privacy Act 1988* (Cth), the Credit Reporting Code or

related laws or regulations. Any updated versions of this Credit Reporting Policy will be effective from the date of posting on our website at [www.bankofchina.com/au](http://www.bankofchina.com/au).

10.2 This Credit Reporting Policy was last updated on 20 July 2015.