

Capital Finance Third Party Privacy Notice

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1. About this Privacy Notice

This Privacy Notice, together with our [Privacy Statements](#), explains how Capital Finance, a part of Westpac Banking Corporation and its Australian related body corporates (Westpac Group, we, us, our) handles and manages personal information we collect about third parties (in particular, individuals associated with them) that provide, or are seeking to provide, products and/or services to, or on behalf of Capital Finance and/or engage with Capital Finance as part of Capital Finance's operations and are:

1. individuals; or
2. individuals associated with a **Third Party** entity, such as officers, employees, agents and customers (**related individuals**).

(each known as a **Third Party** and examples of such are described below)

In the case of conflict between our Privacy Statements and this Privacy Notice, the terms of this Privacy Notice will prevail as regards to each Third Party. Where the context requires, references in the [Privacy Statements](#) to "Customer, "you" or "your" should be read as including a Third Party as defined in this Privacy Notice.

In this Privacy Notice, a **Third Party** may include:

- A related individual of an entity that holds an Australian Credit Licence (**ACL**) and acts as an intermediary between lenders and mortgage brokers for the referral of potential credit applications to lenders and provision of accreditation to lenders and quality assurance services to mortgage brokers (**Aggregator**);
- an individual or a related individual of an entity who is, or proposes to carry on the business of:
 - providing credit assistance to prospective borrowers in relation to credit contracts secured by mortgages and commercial and equipment loans offered by Capital Finance; or
 - arranging insurance for Capital Finance in relation to a prospective borrower or customer of a Capital Finance credit product, (each a **Broker** or **Credit Assistant**);
- a related individual of an entity that is a registered charity to which Capital Finance employees can elect to donate and which does not have a contractual arrangement with Capital Finance (**Charitable Party**);
- an individual that provides financial advice on Capital Finance products (**Financial Adviser**);
- a related individual of an entity that acts as the intermediary between two parties in a financial transaction for Capital Finance (**Financial Intermediary**);
- an individual or a related individual (who may be accredited or not accredited with Capital Finance) who refers business to Capital Finance or our authorised representative and/or introduces borrowers to Capital Finance (**Referrer**);
- an individual or a related individual of an entity that is sponsored by Capital Finance or our authorised representative, or sponsors Capital Finance, as the case may be (**Sponsorship Party**);
- any other individual or related individual of an entity providing services and engaging with Capital Finance as part of Capital Finance's operations or in a specific transaction and any related individuals of entities from time to time referred to as 'non-suppliers' (**Other TP**);
- any related individual who is not an authorised representative in their own right and is employed or contracted by an authorised representative (including RAMS franchisee) and Capital Finance collects and handles their personal information for its operations (**Administrative Assistant**); and
- otherwise, any individual or related individual of an entity that enters into an agreement to provide products and/or services to Capital Finance or our authorised representative (**Supplier**).

2. Your obligations when sharing the personal information of other individuals (including any related individuals)

Before you provide another person's personal information to us that relates to your ongoing performance of your activities you must:

- make them aware that you will be doing this;
- make them aware of the contents of this Privacy Notice and any other relevant privacy notices and that we will collect, use and share their personal information in accordance with this Privacy Notice and our [Privacy Statements](#); and
- obtain their consent to the collection and use of their personal information for the purposes outlined in this Privacy Notice.



3. Sensitive information

By providing us with any of your sensitive information as specifically noted in this Privacy Notice, you consent to our collection, use and disclosure of that sensitive information in accordance with and as set out in this Privacy Notice and our [Privacy Statements](#).

You have the right to withdraw your consent for our collection, use and disclosure of your sensitive information at any time by contacting us using the details in section 15. However, if you withdraw your consent for our collection, use and disclosure of your sensitive information we will no longer be able to commence or continue your engagement as a **Third Party**, as the case may be.

4. You do not need to provide us with your personal or sensitive information

You may choose not to provide us with your personal information or sensitive information we refer to in this Privacy Notice and our [Privacy Statements](#). However, if you choose not to provide us with the personal and/or sensitive information we reasonably request from you or fail to provide adequate personal information, we may be unable to commence or continue your engagement as a **Third Party**, as the case may be.

5. Where to obtain a copy of this Privacy Notice

You can download a copy of this Privacy Notice and our Privacy Statement and/or view our Privacy Notice and [Privacy Statements](#) online or contact us and request a copy of either or both of them.

6. What personal information we collect about you and why

If you are a Third Party other than a Supplier, we may collect the following types of personal information about you:

Type of personal information	Examples	Purpose(s)
Personal and contact details	Name, title, date of birth, gender, signature, mailing and residential address details, telephone numbers, place of birth, email address(es), citizenship and/or residency details, bank account details, financial position information, work and education history, qualifications, membership of industry bodies, a photograph, image or screenshot including your face taken during any virtual meeting we may have with you and other personal information that is publicly available.	<ul style="list-style-type: none">to verify identity;to assess your application for accreditation with Capital Finance including if successful to complete the onboarding process;to assess your relationship with Capital Finance and/or our authorised representatives throughout the accreditation period;to register your interest in, enquire about or apply for an engagement with us; to facilitate our internal business operations including payment of commissions, fees, submitting an insurance claim, and fulfilment of any licensing, legal and contractual obligations; andwhere applicable, to provide you with information regarding your relationship or contract with us.
Government issued identification (copies) and government related identifiers	Copies of government issued identification including your driver's licence and passport which includes government related identifiers such as your passport number or driver's licence number, Credit Representative (CR) number or the Australian Credit Licence (ACL) number or Australian Financial Services Licence (AFSL) number of the entity you are associated with.	<ul style="list-style-type: none">to carry out background checks (including criminal history check and potentially thereby obtain information about your criminal convictions or offences);for due diligence purposes;to conduct identity verification checks, entitlement to work and commercial credit report checks on you for the purposes of risk management;to assess risk and meet regulatory obligations (both in Australia and overseas);to assess suitability to be permitted access to our premises and/or enter into an engagement with us;to comply with our breach reporting obligations; andto detect and investigate any suspected unlawful activity.



Type of personal information	Examples	Purpose(s)
Sensitive information	Health information that may be on your driver's licence or other identification documents, information about any criminal record (convictions or offences) you may have (as noted above), information relating to your membership of a professional or trade association, information about your ethnicity or racial origin that may be included on other government identification such as your passport.	<ul style="list-style-type: none"> to prevent, detect and investigate suspicious, fraudulent, criminal or other activity that may cause you, us or others harm; for carrying out background and due diligence checks on you; for security purposes, including by operating security cameras in various locations at our premises; to investigate complaints and grievances, made by you or others, for example concerning alleged discrimination or misconduct; and otherwise as permitted or required by law.
Other information	Interactions and other information from your face to face or phone interactions with us including the questions you ask and complaints you make or are made that relate to you; and Digital or electronic information where you interact with us through our digital channels such as our webpages and portals.	<ul style="list-style-type: none"> to analyse products and client needs; to manage complaints; to enable digital or electronic communications with you; to develop new products and services; and otherwise as permitted or required by law.

If you are a **Supplier**, we collect your:

Type of personal information	Examples	Purpose(s)
Personal and contact details	Name, title, date of birth, gender, signature, mailing and residential address details, telephone numbers, email address.	<ul style="list-style-type: none"> to verify your identity; to investigate any incidents such as a bullying, harassment or fraud allegation or sexual harassment claim; where applicable, to provide you with information regarding your relationship or contract with us; to accommodate workplace accidents and related insurance claims, where applicable; to monitor for risk and compliance, assess risk and meet licensing or regulatory obligations (both in Australia and overseas); and to help us, or our authorised representative, to run our/its business.

We may also collect and/or use your personal information for other or additional purposes where permitted by law or where you have provided us with your consent to do so.

Where authorised or required by law we may also use your personal information about you collected by us in your capacity as a customer of Capital Finance (e.g. information about your transaction history on a Capital Finance bank account) in the following circumstances:

- where we suspect unlawful activity, or misconduct of a serious nature, and we reasonably believe that the use or disclosure of your customer personal information is necessary to take appropriate action in relation to the matter; and
- where we reasonably believe that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.



7. How we collect personal information about you

We will collect most personal information about you directly from you, including information you provide and as part of your engagement with us. We may collect personal information about you indirectly in circumstances where it is unreasonable or impracticable for us to collect directly from you, for example:

- from an Aggregator, if you are a Broker;
- from **Third Party** service providers such as Equifax and where it is relevant to your application, renewal, extension or management of your role with us as a Financial Intermediary;
- from your employer or entity that engaged you (if you are a related individual); or
- from a customer/applicant in connection with a product or service.

8. Disclosure of your personal information

We may share (i.e. disclose) your personal information with members of the Westpac Group (including members of the Westpac Group outside your country), our authorised representatives and other organisations (which may also be outside your country). We may disclose your personal information to the following:

Entity description	Who we may share your information with	Purpose(s)
Westpac Group entities	Other companies within the Westpac Group	<ul style="list-style-type: none"> • to administer and manage your relationship with the Westpac Group and for risk management.
Westpac Group customers	Customers of the Westpac Group	<ul style="list-style-type: none"> • to provide information about the referral and/or commissions or when dealing with complaints or enquiries that may involve you, as applicable.
Westpac Group's professional advisers	Our professional advisers such as our financial advisers, auditors and legal advisers.	<ul style="list-style-type: none"> • for the purposes of obtaining their professional services (for example, in the case of our legal advisers these services will include assessing our legal obligations and defending any legal claims or potential claims).
Service providers	Organisations that help us run our business, including: <ul style="list-style-type: none"> • Third Party service providers • payments system operators • credit reporting bodies • organisations that support us to identify, investigate or prevent fraud or other misconduct 	<ul style="list-style-type: none"> • for the purpose of assessing risk, conducting due diligence and background reference checks and managing your engagement with us; • to help us develop insights, conduct surveys and data analysis; • to effectively manage and assess our risk and regulatory obligations; • to resolve any complaints; and • where required or authorised by law to do so.
Receivers or bankruptcy trustees	Receivers or bankruptcy trustees (or similar)	Where required or authorised to disclose personal information under the <i>Bankruptcy Act 1966</i> (Cth) and <i>Corporations Act 2001</i> (Cth).
Regulatory authorities, dispute resolution bodies, Government and law enforcement agencies	<ul style="list-style-type: none"> • dispute resolution authorities; • external dispute resolution schemes and complaints bodies; and • regulatory bodies, government agencies and law enforcement bodies in any jurisdiction. 	<ul style="list-style-type: none"> • to effectively manage and assess our risk, legal and regulatory obligations for example, breach reporting and response to notices); • to identify, investigate or prevent fraud or other misconduct; • to resolve any complaints; and • where required or authorised by law to do so.



Entity description	Who we may share your information with	Purpose(s)
Associated entities and agents that help us run our business	Other organisations that help us run our business, including: <ul style="list-style-type: none"> publicly available registers investors in, and prospective purchasers of, our business or assets; and our authorised representatives, including RAMS franchisees and credit organisations. 	<ul style="list-style-type: none"> to manage your engagement with us or with our authorised representatives; for the purpose of assessing risk, conducting due diligence and background reference checks and managing your engagement with us; to record personal information about you where reasonably necessary; to effectively manage and assess our risk and regulatory obligations; to resolve any complaints; and where required or authorised by law to do so.

We may also disclose your personal information for other or additional purposes where required or authorised by law or where you or your related individuals have provided us with your consent to do so.

9. Sharing your personal information to other countries

We may disclose your personal information to a company within the Westpac Group, regulatory authorities, and/or organisations that we need to deal with that are located outside of your country, including to:

- organisations operating overseas with whom we partner and our contracted service providers operating overseas, which are likely to be located in New Zealand, Australia, United States, Canada, the Philippines, UK, Malaysia, Brazil, Japan and India; and
- Westpac Group companies located in Australia, Singapore, New Zealand, United Kingdom, Germany, United States, Cayman Islands, Fiji and Papua New Guinea.

For further information on sharing your personal information overseas, please refer to our [Privacy Statements](#).

10. Security of your personal information

For information as to the reasonable steps we take to protect your personal information, please refer to our [Privacy Statements](#).

11. Accessing and/or updating your personal information

For information on how to access and/or update your personal information, if you are:

- an authorised representative, please contact your relationship manager, for RAMs franchise network enquiries contact franchisesupport@rams.com.au;
- a Supplier, please contact us at supplier-advocacy@westpac.com.au; or
- an individual or a related individual, please contact your relationship manager or Business Development Manager.

12. Complaints

If you have a question or complaint about how your personal information is being handled by us or our service providers, please refer to our [Privacy Statements](#).

If you are a **Third Party** located in Singapore, you may make a personal data complaint directly to the Personal Data Protection Commission in Singapore and provide hard copy documents via the details below:

Personal Data Protection Commission Singapore

pdpc.gov.sg/complaints-and-reviews/report-a-personal-data-protection-concern/personal-data-protection-complaint

Attention of:

Officer-in-charge, Consumer Services & Investigation

10 Pasir Panjang Road, #03-01 Mapletree Business City, Singapore 117438

Phone: +65 6377 3131



13. Third Parties located outside Australia

This privacy notice applies to third parties located in any country outside Australia which provide products and/or services to Westpac Group in Australia, Fiji, Papua New Guinea, Singapore, EU, UK, New York, and New Zealand.

Third Parties located in Singapore:

For a Third Party located in Singapore and providing products and/or services to a Westpac Group entity or branch in Singapore the following sections apply in addition to this Privacy Notice:

- Applicable privacy law.

The *Personal Data Protection Act 2012* (PDPA) and this Privacy Notice applies to our handling of your personal data.

Where we refer to personal information in this Privacy Notice it should be read as having the same meaning as 'personal data' in the PDPA.

- Consent to collection of personal data.

By engaging with us as a Third Party and/or providing us with any personal data noted in this Privacy Notice, you consent to our collection, use and disclosure of that personal data in accordance with and as set out in this Privacy Notice unless you have notified us that you do not wish to consent to the use, collection and disclosure of the personal data for the purposes described in this Privacy Notice, by emailing us via our Contact Us details for Singapore below within 14 days from the date of receipt of this Privacy Notice.

- Withdrawal of consent.

As a Third Party engaging with us you may withdraw your consent at any time after consent has been given by giving us notice via email using our Contact Us details for Singapore below. However if you withdraw your consent, we may be unable to engage you as a Third Party.

- You do not need to provide us with personal data.

As a Third Party engaging with us you may choose not to provide us with your personal data. However, if you choose not to provide us with the personal data we reasonably request from you, or fail to provide adequate personal data we may be unable to commence or continue your engagement with us, as the case may be.

- Sharing personal data outside Singapore.

In addition to the purposes set out in this Privacy Notice, we may transfer your personal data to Westpac Group entities and/or third parties situated outside Singapore, including Australia.

Third Parties located in New Zealand:

For a Third Party located in New Zealand and providing products and/or services to our branch in New Zealand the following information applies in addition to this Privacy Notice:

- Applicable privacy law.

The *Privacy Act 2020* and this Privacy Notice applies to our handling of your personal information.

- Your personal information rights.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please use our Contact Us details below.

Third Parties located in the European Union or United Kingdom:

For a Third Party located in European Union or United Kingdom and providing products and/or services to a Westpac Group branch in London and/or Westpac Europe GmbH the following information applies in addition to this Privacy Notice:

- Applicable privacy law.

The EU GDPR and/or UK GDPR (GDPR) and this Privacy Notice applies to our handling of your personal data.



Where we refer to personal information in this Privacy Notice it should be read as having the same meaning as 'personal data' in the GDPR.

- Our lawful basis for collecting and processing your personal data is set out in the table below.

Purpose for collecting your data	Our grounds for processing your personal data	Examples of our legitimate interests
To verify identity	<ul style="list-style-type: none"> • To comply with EU and/or UK law • Our legitimate interests 	<ul style="list-style-type: none"> • To comply with our legal obligations outside the UK and EU
To assess risk and meet regulatory obligations	<ul style="list-style-type: none"> • To comply with EU and/or UK law • Our legitimate interests 	<ul style="list-style-type: none"> • To effectively manage our business risks • To comply with our legal obligations outside the UK and EU (for example, anti-money laundering regulations)
To detect, prevent and report on financial crime	<ul style="list-style-type: none"> • To comply with EU and/or UK law • Our legitimate interests 	<ul style="list-style-type: none"> • To comply with our legal obligations outside the UK and EU
To communicate with you, for example to provide you with information regarding your relationship or contract with us	<ul style="list-style-type: none"> • You have given your consent 	<ul style="list-style-type: none"> • Not applicable
To accommodate workplace accidents and related insurance claims	<ul style="list-style-type: none"> • To comply with EU and/or UK law • Our legitimate interests 	<ul style="list-style-type: none"> • To effectively manage our business risks
To register your interest in, enquire about or apply for an engagement with us; to facilitate our internal business operations including payment of commissions, fees, submitting an insurance claim, and fulfilment of any licensing, legal and contractual obligations	<ul style="list-style-type: none"> • You have given your consent • Our legitimate interests • To comply with EU and/or UK law 	<ul style="list-style-type: none"> • To contact you to ask for your consent • To ensure our records of your information are accurate • To comply with our legal obligations outside the UK and EU
To carry out due diligence and background checks (including criminal history check and potentially thereby obtain information about your criminal convictions or offences)	<ul style="list-style-type: none"> • To comply with EU and/or UK law • Our legitimate interests 	<ul style="list-style-type: none"> • To comply with our legal obligations outside the UK and EU
For security purposes, including by operating security cameras in various locations at our premises	<ul style="list-style-type: none"> • Our legitimate interests 	<ul style="list-style-type: none"> • To effectively manage our business risks

- Withdrawal of consent.

As a Third Party engaging with us you may withdraw your consent at any time after consent has been given by giving us notice via email using our Contact Us details below. However, if you withdraw your consent, we may be unable to engage you as a Third Party.

- You do not need to provide us with personal data.

As a Third Party engaging with us you may choose not to provide us with your personal data. However, if you choose not to provide us with the personal data we reasonably request from you, or fail to provide adequate personal data we may be unable to commence or continue your engagement with us, as the case may be.

- Your personal data will be transferred out of the UK and/or EEA:
 - When you instruct us to do so;
 - To comply with the law; and
 - To work with our companies within the Westpac Group, partners and third parties who help us deliver our products and services.

For details of the countries your personal data may be disclosed to, and how we will protect your personal data, refer to section 24 of the [Westpac Institutional Banking Privacy Statement](#).

- We will keep your personal data for as long as you have an engagement with us, and retain this information up until 7 years from the end of the contract or otherwise when you ceased your engagement with us.
- For information about the rights that you have with respect to the personal data that we hold about you, refer to section 26 of the [Westpac Institutional Banking Privacy Statement](#).



14. Referrers to RAMS Franchisees

If you are proposing to become, you are, or you have been an accredited referrer to a RAMS franchise: (a) this notice explains how Westpac Banking Corporation, its Australian related bodies corporate and the RAMS franchise you propose to refer to, you do refer to, or you have referred to handles and manages third party personal information; (b) the terms 'we', 'us', 'our' used in this notice includes the RAMS franchise you propose to refer to, you do, or you have referred to; and (c) this notice applies to your referral accreditation, referral activity, or referral relationship in connection to that RAMS franchise.

15. Contact Us

For any queries about this Privacy Notice please refer to our contact details in our [Privacy Statements for Australia](#), and [for our operations in other countries](#).

16. Changes to this Privacy Notice

We may, from time to time, update this Privacy Notice. Please ensure you review it periodically for changes. If any changes are significant we will either let you know in writing or post a message to that effect on our website (capitalfinance.com.au).

Your continued engagement with us or the provision by you of further personal information to us after this Privacy Notice has been revised will be deemed to be your acceptance of (and, for sensitive information, your consent to) the revised Privacy Notice.

This Privacy Notice was last revised on 3 November 2023.

Accessibility support

At any time, you can inform us how you would prefer to be contacted. If you are deaf and/or find it hard hearing or speaking with people who use a phone, you can reach us through the National Relay Service (NRS). To use the NRS, you can register by visiting accesshub.gov.au/about-the-nrs

