

## **PRIVACY NOTICE**

### **1. OVERVIEW**

1.1 In this Privacy Notice a reference to:

- (a) 'us' or 'we' is a reference to Latitude Finance Australia ABN 42 008 583 588;
- (b) 'you' is a reference to the applicant named in section 1 of the Merchant Application Form (the 'Applicant'), a Merchant or a Relevant Person of an Applicant or Merchant, either collectively or individually as applicable in context; and
- (c) 'Personal Information' has the meaning given to it in our Privacy & Credit Reporting Policy mentioned in 1.4.

1.2 All capitalised terms not otherwise defined, shall have the meanings set out in the Latitude Merchant Terms and Conditions.

1.3 You can contact us on:

- (a) [partner.notices@latitudefinancial.com](mailto:partner.notices@latitudefinancial.com); or
- (b) 1300 782 345.

1.4 Our Privacy & Credit Reporting Policy is available at [www.latitudefinancial.com.au/privacy](http://www.latitudefinancial.com.au/privacy).

1.5 If you are an Applicant or Merchant and you provide us Personal Information about any of your Relevant Persons, you must first ensure such persons:

- (a) have seen this Privacy Notice and understood it; and
- (b) have separately given you agreement to cover their Personal Information being collected, used, and disclosed by us in the ways set out in this Privacy Notice.

1.6 You consent to the collection, use and disclosure of personal information about you in the ways set out in this Policy by:

- (a) applying to become an accredited merchant with Latitude;
- (b) being registered as a Merchant;
- (c) accessing merchant facilities (e.g. our websites, platforms and systems); or
- (d) providing the Authorised Services.

1.7 Without Personal Information we are unable to:

- (a) assess your application to become an accredited merchant;
- (b) administer your registration as a Merchant;
- (c) grant your access or administer your access to merchant facilities; or
- (d) allow you to provide the Authorised Services.

### **2. Why we collect, use and disclose Personal Information**

2.1 We collect, use and disclose Personal Information to:

- (a) process and assess your application to become an accredited merchant;
- (b) complete commercial credit checks on you;
- (c) provide and manage products, services, relationships and arrangements;
- (d) administer your access to merchant facilities;
- (e) administer your registration as Merchant;
- (f) manage our business operations;
- (g) promote and provide products, services and offers from us, entities related to us and other organisations;

- (h) develop new products and services;
- (i) assist in planning, product development and research;
- (j) prevent/investigate fraud and crime;
- (k) deal with complaints; and
- (l) comply with laws that may require or authorise us to obtain information about you, such as *Privacy Act 1988*, *Corporations Act 2001*, *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*, *Autonomous Sanctions Act 2011*, *National Consumer Credit Protection Act 2009*, *Personal Property Securities Act 2009*, regulatory laws requiring us to maintain records or provide reports/information to regulators and taxation laws.

### **3. What kind of Personal Information we collect**

3.1 Generally, we collect information:

- (a) provided in the Merchant Application Form;
- (b) provided when you register or use merchant facilities (e.g. your contact details, IP address and details about any device you use to access such facilities);
- (c) about your ongoing use of merchant facilities and your provision of the Authorised Services;
- (d) held by an Applicant or Merchant if you are a Relevant Person – about your role with an Applicant or Merchant if you are a Relevant Person (e.g. confirming employment status and other similar relevant information for training, compliance and fraud prevention purposes.
- (e) held by a service provider or third party (third parties listed in clause 5 below)

### **4. Who we collect Personal Information from**

4.1 Where it is reasonably possible and practical to do so, we will collect Personal Information directly from you.

4.2 We may collect Personal Information from third parties, such as government bodies, credit reporting bodies, accountants, financial institutions and credit providers. We do this if it is unreasonable or impractical to collect the Personal Information from you. Such circumstances may include verifying details you gave us in your application or obtain information about facilities with other credit providers.

4.3 If you are a Relevant Person, we may collect Personal Information from an Applicant or Merchant.

### **5. Who we usually disclose Personal Information to**

5.1 For the purposes listed in 2.1, we may also disclose Personal Information to entities related to us and third parties such as:

- (a) contractors, agents and service providers;
- (b) delivery companies, debt collectors, mail houses and call centres;
- (c) researchers and data analysts;
- (d) in the case of Personal Information for Relevant Persons, to the Applicant or Merchant and their other Relevant Persons;
- (e) credit reporting bodies;
- (f) financial institutions and credit providers;
- (g) government or regulatory bodies;
- (h) professional advisers; or
- (i) organisations wishing to acquire an interest in any part of Latitude's business for assessing or implementing any such acquisition.

5.2 We might send Personal Information to overseas organisations or service providers for the purposes in 2.1. While it is not practical to list every country where these organisations are located, they are likely to include China, countries within the European Union, India, Israel, Japan, Mexico, New Zealand, Philippines, Singapore, South Korea, Spain, United Kingdom and the United States of America.

### **6. How to access and correct Personal Information**

6.1 You and your authorised representatives can contact us on the details in 1.3 to access or correct Personal Information. In addition, any of your Relevant Persons may contact us to access or correct their own personal information.

6.2 Our Privacy & Credit Reporting Policy mentioned in 1.4 explains more about how you and your Relevant Persons can access and correct Personal Information we hold.

## **7. How to make a complaint**

7.1 Concerns about the handling of yours or your Relevant Persons' personal information can be raised to us by contacting us on the details in 1.3.

7.2 Our Privacy & Credit Reporting Policy mentioned in 1.4 explains more about how you and your Relevant persons can complain if we breach the *Privacy Act 1988* (Cth) and how we deal with such complaints.