

## Privacy Policy

At Portcullis Capital, we respect your information privacy.

The *Privacy Act 1988* (C'th) regulates how we handle *personal* information about an individual.

The general law duty of confidentiality regulates how we handle *any* information that is not a matter of public record about any entity, including individuals, corporations, partnerships, trusts and registered associations.

How we handle information includes how we collect, use, disclose, record, store, update and correct that information, as well as to whom, how and under what circumstances we will permit access to that information.

We will protect all information under our control about any entity in accordance with the Australian Privacy Principles.

In this statement, the term:

- "*personal* information" refers to *personal* information as defined in the *Privacy Act*; and
- "information" when not preceded by the word "*personal*", refers to any information, regardless of whether or not regulated by the Privacy Act or general law duty of confidentiality.

### What is "personal" information?

*Personal* information is now defined in the *Privacy Act* to mean:

- information or an opinion (including where forming part of a database);
- whether true or not;
- whether recorded in a material form or not;

about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

### Some examples of "personal" information

The following is a partial list of information about an individual that is *personal* information:

- name;
- address;
- date of birth;
- driver's and other license details;
- photograph or video recording;
- salary, bank account or financial details;
- details about or allegations of wrongdoing or offences they may have committed;
- details about land ownership or land disputes;
- details about education or education activities;
- details about association memberships and/or meeting attendances;
- medical details and/or health information;
- fingerprints and/or blood type;
- details about a person's religious or sexual preferences;
- details about a person's membership of a trade union or professional body;
- work email address or 'phone number;
- opinions given as part of a person's employment;
- the fact that a person is the author of a report;
- a person's name appearing in work documents; and
- a letter written in a person's official capacity.

This list is provided to illustrate the broad range of information that is *personal* information and is not intended to be a complete or exhaustive list of all categories of *personal* information.

We will only ask you to provide us with *personal* information we reasonably believe is or may be necessary to enable us to provide you with the services you have requested from us. We will probably not ask you to provide us with all of the *personal* information in the list set out above. We might ask you to provide us with other *personal* information that is not in that list, depending on the nature of the services we are to provide to you and your circumstances.

## Other information we may need

In addition to *personal* information, we may need other information that is not *personal* information about you to be able to provide you with the services you have requested from us.

Examples of such other information, depending on the nature of that information and what is contained in it, might include (and again this is not intended to be a complete or exhaustive list):

- the name and contact details of your accountant and/or lawyer;
- your corporate structure details;
- details of your business/es;
- details of business or investment proposals;
- actual or proposed business or investments strategies;
- copy of a building contract for an actual or proposed development project;
- managing agent's details; and
- financial statements for a business or company;

It is important to note that in combination with each other, public record information and/or *personal* information within our control, any or all of the above may become *personal* information within the meaning of the *Privacy Act*.

## Why do we collect, hold, use and disclose information about you?

The reason we collect, hold, use and disclose information about you is to enable us to provide you with the services you have asked us to provide to you, for example:

- checking your eligibility for a proposed commercial loan or guarantee;
- assisting you to refinance an existing commercial loan or other facility;
- preparing and submitting a commercial loan submission to prospective lenders on your behalf;
- arranging or facilitating other commercial facilities for you; and/or
- assisting you with the management of a commercial loan or other commercial facility.

The services that we will provide to you will be specified in the service and agency agreement you enter into with us, as may be varied between us in writing from time to time.

## From whom do we collect information about you?

We collect information about you from a number of sources, such as from:

- you directly;
- you electronically; for example, by email, fax or from our web site;
- your authorised agent; for example, your finance broker, financial adviser, accountant or solicitor;
- credit reporting agency; for example, Veda;
- lenders from whom you have borrowed or given a guarantee; and
- trade suppliers with whom you deal.

The service and agency agreement that you will enter into with us contains authorisation and consent by you to us obtaining and dealing with information about you to provide you with the services you have requested from us.

## How do we hold information we have collected about you?

The information we collect about you will be held in one or both of two ways:

- in paper form; and
- electronically.

## To whom do we disclose information we have collected about you and why?

We only disclose information about you as:

- as permitted by the *Privacy Act* in relation to personal information about you;
- as required by law; for example if we receive a Court order that requires us to disclose information about you;
- as we consider reasonably necessary to provide you with the services you have asked us to provide to you;
- as otherwise authorised or directed by you.

We do not disclose information about you to 3rd parties for marketing purposes or for any other purposes, except as may be required by law, that do not relate to the services you have requested from us.

## Access to your information

You can request access to the information we hold about you during regular business hours. To do that, please [Contact Us](#). [[-< hyperlink to Portcullis Contact Us webpage](#)]

## Correct your information

If you believe that any information we hold about you is incorrect, you can ask us to correct it. To do that, please [Contact Us](#). [[-< hyperlink to Portcullis Contact Us webpage](#)]

## Concerns and complaints

If you have any concerns regarding how we handle information about you, or, if you would like to make a complaint, please [Contact Us](#). [[-< hyperlink to Portcullis Contact Us webpage](#)]

If you are not satisfied with our response and your concern or complaint relates to our handling of *personal* information we hold about you, you have the right to make a complaint to the Office of the Australian Information Commissioner.

You can contact the Office of the Australian Information Commissioner as follows:

By mail: GPO Box 5218  
Sydney NSW 2001  
By telephone: 1300 363 992  
By eMail: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Website: [www.oaic.gov.au](http://www.oaic.gov.au)