



# Privacy Policy

*C Cell Pty Ltd (ACN 610 585 245)  
as trustee for the C-cell Unit Trust*

*is committed to ensuring your privacy is protected. Throughout this policy we are referred to as **we, our or us**. We refer to an individual as **you**.*

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This policy was last updated 7 May 2018. The latest version of this policy is published online at [swstas.com.au/c-cell/privacy/policy](http://swstas.com.au/c-cell/privacy/policy)

This policy explains how we comply with the *Privacy Act 1988* (Cth) when collecting, using, disclosing, storing, maintaining and destroying your personal information including any credit information. It also explains how you can access or correct personal information (including credit information) we hold about you and what you can do if you think your privacy may have been breached.

In some cases, we may act in a way other than described in this policy, however we will only do that with your informed consent, or if required or permitted by law.

## What personal information does this policy cover?

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**Personal information** is information or an opinion about an identified individual, or an individual who is reasonably identifiable.

Personal information may include **sensitive information** about the individual such as racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health, genetic or biometric information.

## What credit information does this policy cover?

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**Credit information** is personal information about you which is also:

- Identification information (including name, address, date of birth, sex, current or last employer, driver licence number, previous names and two previous addresses)
- Information about your current and past consumer credit liabilities
- Information about other credit you have sought or obtained
- Information about your repayment of other credit
- Information held by a credit reporting body about you
- Information about your previous defaults, payments and payment arrangements relating to credit provided to you
- Information about your insolvency
- Information about court proceedings involving you
- Publicly available information about your creditworthiness

This policy deals with credit information when we are acting as a credit provider or agent of a credit provider.

## How do you contact us?

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The person responsible for privacy is our privacy officer. You can contact our privacy officer in the following ways:

The Privacy Officer, C Cell Pty Ltd  
Post: PO Box 216, New Town TAS 7008  
Phone: (03) 6273 9712  
Email: sws.finmanager@internode.on.net

## What personal information do we collect?

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We only collect personal information that is necessary for our functions or activities. We will ensure you are aware when we collect your personal information and the primary purpose of its collection. We will only collect sensitive information with your consent or where permitted by the *Privacy Act*.

There may be consequences if you do not provide us with all information sought from you. We will let you know what those consequences are when requesting the information. If you provide us with more information than we have requested we will destroy it unless it is necessary for our functions or activities.

We collect and hold the following types of information:

- Contact details (including name, phone number, address and/or email address) about most people who come into contact with us.
- A range of credit information, including identification information, insolvency information, court proceedings information, publicly available information including from the Personal Property Securities Register and information obtained from credit reporting bodies. We also collect and hold details of the type and amount of credit sought in an application for credit from us, or that you have offered to act as guarantor in respect of that credit. We may also derive information about your credit worthiness from information we obtain from credit reporting bodies, for example by associating you with categories of risk.
- Information about your current and previous credit liabilities. This can include information about credit we provide to you as well as information we obtain with your consent from other credit providers.

## Why do we use your credit information?

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We collect, hold, use and disclose your credit information for the purpose of assessing an application for credit (by you, an entity associated with you, or as a guarantor), verifying your identity, providing you with credit, managing that credit and recovering any debts you owe to us.

## How do we collect personal information and obtain credit information?

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We collect personal information when you have contact with us, including when you complete forms, in correspondence, at meetings, by telephone conversations, when you contact us by email and when you use our website. Where practical we will normally collect personal information about you from you directly.

We may occasionally collect personal information about you from publicly available sources, where it is unreasonable or impractical to collect it from you directly, or where we have your consent.

We may obtain:

- information about your commercial credit worthiness from businesses which provide information about commercial credit worthiness
- identifying details such as your name, birth date, drivers licence number, address(es), telephone number(s), from information that you provide to us (including your completed application for credit) or that is provided by third parties acting on your behalf.

### **How do we use your personal information?**

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- We will use your personal information for the purpose for which we collected it and for related purposes which you would reasonably expect. We will take reasonable steps to ensure the information we use is accurate, up-to-date, complete and relevant, having regard to the reasons why it is being used.
- Sensitive information will be used and disclosed only for the purpose for which it was collected, a directly related secondary purpose, with your consent or as required or allowed by law.
- We will take reasonable steps to ensure you are aware of the purpose for which we are collecting your personal information at the time of collection.

### **Who do we disclose personal information to?**

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- Your personal information may be disclosed to our agents (who manage the C Cell on our behalf) and service providers or professional advisors within Australia where necessary for our activities, for example to IT service providers, accountants, auditors, lawyers or insurers.

### **When do we disclose your credit information to others?**

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We will only disclose your credit information to another entity when permitted by law. When we are acting as a credit provider this includes:

- disclosing information with your consent
- disclosing information to others who are also parties to a credit application you submitted, as principals or guarantors
- disclosing applications for credit, credit terms, defaults and serious credit infringements to credit reporting bodies.

We may disclose credit information where required or authorised by law, including the *Privacy Act*.

Your information may be disclosed to our agents (who manage the C Cell on our behalf), and service providers or professional advisors within Australia where necessary for our activities, for example to debt recovery service providers, legal advisors, IT service providers, accountants, auditors or insurers. This will only be done where permitted by the *Privacy Act*.

We will not disclose your credit information to anyone without an Australian link unless they are the credit provider or the disclosure is otherwise permitted by law.

### **How do we store personal information including credit information?**

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Personal information including credit information is stored electronically, on paper, or both.

We take reasonable steps to protect the security of personal information including credit information including the physical security of our premises, use of locked file storage and use of access level permissions and passwords to restrict access to electronic records. Archived files are stored securely onsite.

## **How can you access personal information including credit information we have about you?**

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You may at any time request access to your personal information including credit information and we will give you access by providing you with copies of or allowing you to inspect the requested information, unless:

- an exemption in the Australian Privacy Principles applies
- giving access would be unlawful
- denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

We may charge you a reasonable fee to access that information, for example to recover the costs of photocopying or if we have to spend a significant amount of time to provide you with access. We may need to verify your identity before providing access to your personal information including credit information.

If we refuse you access to your personal information including credit information, we will provide you with an explanation for that refusal. We will try to provide you with access to your information within 14 days of receipt of your written request for access or 30 days where responding to the request is more complicated.

## **What if your personal information or credit information is not correct?**

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We will take reasonable steps to ensure your personal information including credit information held by us is up-to-date, complete and accurate. If your information changes or you believe our records are not up-to-date, complete and accurate please contact us. If we agree the information needs correcting, we will take reasonable steps to correct that information.

In order to determine whether credit information needs to be corrected we may consult a credit reporting body or a credit provider, for example to confirm that a debt has been discharged. If we correct your credit information and we have previously disclosed that information to another entity, then we will also disclose the correction to that other entity.

If we do not agree your personal information or credit information needs correcting, you can ask us to put a statement on your file explaining what you say needs to be corrected. We will do that in such a way as is apparent to our staff who use your personal information or credit information (as applicable). If we refuse to correct your information, we will provide you with a written explanation for that refusal.

We will try to resolve all requests within 14 days of receipt of your written request or 30 days where the matter is more complicated. We will not charge a fee to correct that information.

## **How your credit information may impact your application for credit**

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We may refuse an application for credit based wholly or partly on your credit information. We will comply with the Privacy Act in relation to any refusal of an application for credit.

## **When do we destroy personal information?**

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We securely destroy or de-identify personal information when it is no longer required, usually it is destroyed seven years after it is last used. Some documents, for example original executed agreements, are kept at least seven years after they expire.

## **How do you complain about a breach of your privacy?**

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If you are concerned about a possible breach of your privacy, this policy, the Australian Privacy Principles, OR in relation to credit information, the Credit Reporting Code or Part IIIA of the *Privacy Act* then please submit a complaint in writing, marked to: the attention of the Privacy Officer, C Cell Pty Ltd, PO Box 216, New Town TAS 7008.

We will consider and respond to your complaint within 10 working days. We will seek to resolve the complaint with you. We prefer to address all matters in this manner prior to a complaint being taken further.

You can make a complaint about breaches of your privacy to the Office of the Australian Information Commissioner. Their contact details are:

Email: enquiries@oaic.gov.au  
Post: GPO Box 5218, Sydney NSW 2001  
Phone: 1300 363 992  
Fax: 02 9284 9666  
Web: <http://www.oaic.gov.au>