

# PRIVACY AND CREDIT REPORTING POLICY – AUSTRALIA

## NOTIFICATION TO CLIENTS

To run our business, UBS processes information about individuals (“**Personal Information**”), including information about our current and former clients (“**you**”).

UBS takes your privacy seriously. This Privacy Policy (“**Policy**”) contains information on what Personal Information the UBS entities in Australia referred to in Section 11 (“**UBS**”, “**we**”, “**our**”, or “**us**”) and other companies of the group to which we belong (the “**UBS Group**”) collect(s), what we do with that information, and what rights you have.

As part of our commitment to protect your Personal Information we want to inform you in a transparent manner:

- why and how UBS collects, uses and stores your Personal Information;
- the lawful basis for the use of your Personal Information; and
- what your rights are in relation to such processing and how you can exercise them.

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### 1 What does this Policy cover?

This Policy applies to any and all forms of use (“**processing**”) of Personal Information by us in Australia if you are a former, current or prospective client of any of the UBS entities listed in Section 11. It does not apply to our handling of commercial credit information of entities that are not individuals.

### 2 What types of Personal Information do we collect?

For prospective clients with whom we have not yet made contact, we may collect (to the extent permitted by applicable law):

- Personal identification details (such as name, address, gender, nationality), contact information (such as telephone, e-mail address), and family details (such as marital status);
- information related to the professional profile (such as directorship / positions and professional networks) and information related to company ownership and financial background.

For former and current clients or prospective clients with whom we are taking steps to enter into a contractual relationship, we collect (to the extent permitted by applicable law):

- personal details such as your name, identification number, date of birth, compliance related documents (including a copy of your national identity card or passport), phone number, address and domicile electronic address, and family details such as the name of your spouse or partner;
- financial information, including payment and transaction records and information relating to your assets (including fixed properties), financial statements, liabilities, taxes, revenues, earnings and investments (including your investment objectives);
- tax domicile and other tax-related documents and information;
- where relevant, professional information about you, such as your job title and work experience;
- your knowledge of and experience in investment matters;
- details of our interactions with you and the products and services you use, including electronic interactions across various channels such as e-mails and mobile applications;
- any records of phone calls between you and UBS, specifically phone log information such as your phone number, calling-party number, receiving-party number, forwarding numbers, time and date of calls and messages, duration of calls, routing information, and types of calls;
- voice recording and communication data;
- where relevant, details of your nomination of a mandate;
- identifiers we assign to you, such as your client, business relation, partner or account number, including identifiers for accounting purposes;
- when you access UBS websites or our applications, data transmitted by your browser or device you are using and automatically recorded by our server, including date and time of the access, name of the accessed file as well as the transmitted data volume and the performance of the access, your device, your web browser, browser language and requesting domain, and IP address (additional data will only be recorded via our Website if their disclosure is made voluntarily, e.g., in the course of a registration or request). When you visit a UBS website, that website will contain additional information about how we use your information while you are visiting that website; and
- in some cases (where permitted by law), sensitive information such as information about the membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, criminal record, or health information. We will only collect sensitive information about you with your consent (which may be implied from your provision of the information to us) or as otherwise permitted by law

Many UBS Group websites to which you may have access utilise "cookies". A cookie is an electronic mechanism which can trace your access and use of Personal Information contained within our websites. Should you use any UBS Group website you consent to the use of cookies by any member of the UBS Group. Any information obtained through the use of cookies will be used to enhance the products and services that the UBS Group provides to you.

For our usage of cookies and other tracking technologies in relation to UBS websites please also refer to the UBS Website, Social Media and Cookie Policy available [here](#).

In some cases, we collect this information from public registers (which, depending on the product or service you receive and the country of the UBS entity with which you have a contractual relationship, may include beneficial ownership and other registers), public administration or other third-party or public sources, such as wealth screening services, credit reference agencies, fraud prevention agencies, intermediaries that facilitate data portability, and other UBS Group entities.

Should a third party provide a member of the UBS Group with your Personal Information, we assume that you have provided your consent to that third party or that the disclosure is related to the primary purpose for which the third party collected your data, unless you tell us otherwise. If you have any problems or queries with the UBS

Group obtaining Personal Information about you from a third party, you should approach us and the relevant third party.

Where you are an institutional or corporate client or investor, we may also collect information about your directors, representatives, employees, shareholders, or beneficial owner. Before providing UBS with this information, you should provide a copy of this Policy to those individuals.

### **3 What Credit Information and Credit Eligibility Information does the UBS Group collect?**

A member of the UBS Group with whom you have a relationship or propose to have a relationship may collect, use, hold and disclose credit information and credit eligibility information. You consent to such collection, holding, use and disclosure of your credit information and credit eligibility information in accordance with the terms of this policy.

The terms "Credit Information", "Credit Eligibility Information", "Credit Reporting Information" and "Personal Information", as used in this policy, are as defined in the Privacy Act.

If you apply for commercial credit or provide a guarantee for commercial credit, the kinds of credit information and credit eligibility information that the UBS Group may collect, hold and derive about you may include information used to identify you, your credit worthiness and any other related information necessary or incidental to the financial products and services which the UBS Group provide or propose to provide to you. This may include but is not limited to:

- identification information about you, such as your name, date of birth, sex, addresses, employment information and driver's licence number;
- the fact that any credit has been applied for and the amount and type of credit;
- details of your current and previous credit providers, credit limits, and certain terms and conditions relating to you credit arrangements, including start/end dates;
- records of previous requests made by credit providers to credit reporting bodies for information about you in connection with credit applications or guarantees;
- your repayment history information;
- default information about you;
- in relation to any overdue payments, advice about new payment arrangements or that those payments are no longer overdue;
- information about adverse court judgments, personal insolvency records and publicly- available information related to your credit worthiness;
- the opinion of another credit provider as to whether there has been a serious credit infringement (e.g., fraud);
- information derived by credit reporting bodies from the above information (e.g., credit scores, ratings and assessments); and
- information we derive from the above information (e.g., our own credit scores, ratings and assessments).

In some circumstances, the UBS Group may gather credit information and credit eligibility information about you from a third party or from publicly available information. The third parties from whom the UBS Group may acquire credit information and credit eligibility information include, but are not limited to, credit reporting bodies, financial advisers, fund managers or intermediaries and spouses.

The Personal Information and the credit information that you provide will enable the UBS Group to perform its functions or activities, including to identify you, your financial position and any other related information necessary or incidental to the financial products and services which we provide to you. If you do not provide any of the Personal Information and the credit information we request or do not consent to the use, holding or disclosure of your credit information and credit eligibility information in accordance with this policy, we may not

be able to provide you with the products or services you require.

#### **4 For which purposes do we process your Personal Information?**

We always process your Personal Information for a specific purpose and only process the Personal Information which is relevant to achieve that purpose. In particular, we process Personal Information, within applicable legal limitations, for the following purposes:

- a) Client Onboarding:
  - to verify your identity and assess your application). For legal and regulatory compliance checks (for example, to comply with anti-money laundering regulations, and prevent fraud), please see Section e) below.
- b) Client Relationship Management:
  - to manage our relationship with you, including communicating with you in relation to the products and services you obtain from us and from our business partners and handling customer service-related queries and complaints;
  - to help us to learn more about you as a client, the products and services you receive, and other products and services you may be interested in receiving.
- c) Product implementation and execution:
  - to provide products and services to you and ensuring their proper execution, for instance by ensuring that we can identify you and make payments to and from your accounts in accordance with your instructions and the product terms;
  - to perform underwriting.
- d) Engaging in prospecting and business development and / or protecting and enhancing the UBS brand:
  - to evaluate whether and how UBS may offer products, services and events that may be of interest to you;
  - to contact you for direct marketing purposes about products and services we think will be of interest to you, including those offered by us, UBS Group entities, and our other business partners, and facilitating competitions and promotions.
- e) Compliance and Risk Management and / or Crime Prevention, Detection and Investigation:
  - to carry out legal and regulatory compliance checks as part of the onboarding process, including to comply with anti-money laundering regulations and fraud prevention;
  - to meet our on-going regulatory and compliance obligations (e.g., laws of the financial sector, anti-money laundering and tax laws), including in relation to recording and monitoring communications, disclosures to tax authorities, financial service regulators and other regulatory, judicial and governmental bodies or in proceedings and investigating or preventing crime. These laws and regulations include, but are not limited to, the *Corporations Act 2001* (Cth), *Proceeds of Crime Act 1987* (Cth), *Anti- Money Laundering and Counter Terrorism Financing Act 2006* (Cth), the *Financial Transaction Reports Act 1988* (Cth), *Federal Privacy Act (1988)s* ("Privacy Act"), relevant rules of relevant stock exchanges and ASIC Market Integrity Rules;
  - to receive and handle complaints, requests or reports from you or third parties made to designated units within UBS or the UBS Group;
  - to reply to any actual or potential proceedings, requests or the inquiries of a public or judicial authority;
  - to prevent and detect crime, including fraud or criminal activity, misuses of our products or services as well as the security of our IT systems, architecture and networks.

- f) Supporting, Enhancing and Maintaining UBS's technology:
- to take steps to improve our products and services and our use of technology, including testing and upgrading of systems and processes, and conducting market research to understand how to improve of our existing products and services or learn about other products and services we can provide.
- g) Other purposes:
- for the UBS Group's prudent operational management (including credit and risk management, technological support services, reporting, insurance, audit, systems and products training and administrative purposes);
  - to enable a transfer, merger or disposal to a potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer, merger or disposal of part or all of UBS's business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it;
  - to collect data to ensure the security of buildings as well as property and information located or stored on the premises, to prevent, and if necessary, investigate unauthorized physical access to secure premises (e.g., maintaining building access logs and CCTV system images);
  - to undertake transactional and statistical analysis, and related research; or
  - to exercise our duties and/or rights vis-à-vis you or third parties.

#### **4.1 How will the UBS Group use your Credit Information and Credit Eligibility Information?**

We collect, hold, use and disclose credit information and credit eligibility information about you for the following purposes:

- to assess applications for credit;
- to assess whether to accept an individual as a guarantor in relation to credit;
- to assist you to avoid defaulting on your credit obligations;
- to notify other credit providers or a credit reporting agency body of a default by you;
- to assess your credit worthiness;
- offer you further services, which may include using your credit information and credit eligibility information for marketing purposes (in which case we will give you the opportunity to request that your credit information and credit eligibility information not be used for future direct marketing); or
- comply with regulatory or legal requirements. These laws and regulations include, but are not limited to, the Corporations Act 2001 (Cth), Proceeds of Crime Act 1987 (Cth), Anti- Money Laundering and Counter Terrorism Financing Act 2006 (Cth), relevant rules of relevant stock exchanges and ASIC Market Integrity.

The Personal Information that you provide will be information which will enable the UBS Group to perform its functions or activities. If you do not provide any of the Personal Information we request or do not consent to the use, holding or disclosure of your Personal Information in accordance with this policy, we may not be able to provide you with the products or services you require.

#### **5 How do we protect Personal Information?**

All UBS employees accessing Personal Information must comply with our internal rules and processes in relation to the processing of your Personal Information to protect them and ensure their confidentiality.

UBS and the UBS Group have also implemented adequate technical and organisational measures to protect your Personal Information against unauthorised, accidental or unlawful destruction, loss, alteration, misuse, disclosure or access and against all other unlawful forms of processing.

## **6 Who has access to Personal Information and with whom are they shared?**

### **6.1 Within the UBS Group**

We usually share Personal Information with other UBS Group companies, for the purposes indicated in section 4, in order to ensure a consistently high service standard across our group, and to provide services and products to you.

### **6.2 Outside UBS and the UBS Group**

#### **6.2.1 Third Parties**

We share Personal Information with other credit and financial services institutions, comparable institutions and to our professional advisers and consultants to perform the business relationship with you. In particular, when providing products and services to you, we will share Personal Information with persons acting on your behalf or otherwise involved (depending on the type of product or service you receive from us), including, where relevant the following types of companies:

- a party acquiring interest in, or assuming risk in or in connection with, the transaction (such as an insurer);
- (if you hold a credit card with us) credit card associations, and other card payment and platform providers;
- issuers of securities (including third parties appointed by them) in which you have an interest, where such securities are held by third party banks for you;
- payment recipients, beneficiaries, account nominees, intermediaries, correspondent and agent banks (including custodian banks);
- clearing houses, and clearing or settlement systems and specialised payment companies or institutions such as SWIFT;
- market counterparties, upstream withholding agents, swap or trade repositories, stock exchanges;
- other financial institutions, credit reference agencies or credit bureaus (for the purposes of obtaining or providing credit references);
- any third-party fund manager who provides asset management services to you;
- any introducing broker to whom we provide introductions or referrals; and
- lawyers, auditors, accountants, and insurers providing legal, audit, consultancy, accounting or insurance services to us.

#### **6.2.2 Service Providers**

In some instances, we also share Personal Information with our suppliers, who are contractually bound to confidentiality, such as IT hardware, software and outsourcing providers, logistics, mail, courier, printing services and storage providers, marketing and communication providers, facility management companies, market data service providers, transportation and travel management providers and others. When we do so we take steps to ensure they meet our data security standards, so that your Personal Information remains secure.

Where UBS transfers your data to service providers processing data on UBS behalf, we take steps to ensure they meet our data security standards, so that your Personal Information remains secure. Third party service providers are thereby mandated to comply with a list of technical and organisational security measures, irrespective of their location, including measures relating to: (i) information security management; (ii) information security risk assessment and (iii) information security measures (e.g., physical controls; logical access controls; malware and hacking protection; data encryption measures; backup and recovery management measures).

#### **6.2.3 Public or regulatory authorities**

If required from time to time, we disclose Personal Information to public authorities, regulators or governmental bodies, or courts or party to proceedings where we are required to disclose information by applicable law or regulation, under a code of practice or conduct, at their request, or to safeguard our legitimate interests.

#### **6.2.4 Credit reporting bodies**

Credit reporting bodies are allowed under the Privacy Act and the CR Code to handle credit information and use such information to derive credit reporting information. The Privacy Act and the CR Code limit what we can do with the information we obtain from a credit reporting body.

If you apply for commercial credit or offer to act as guarantor for commercial credit, we may disclose your credit information to, or collect credit reporting information about you from, a credit reporting body. This information is used for the purpose of determining your eligibility for credit, and we may process the information to assess your suitability for credit.

Credit reporting bodies may include your credit information in credit reporting information that they provide to credit providers to assist those providers in assessing your credit worthiness.

The credit reporting bodies we deal with are: Equifax Australia (previously known as Veda Advantage) - <https://www.equifax.com.au/contact>

For contact details and information on how these credit reporting bodies manage your credit information and credit reporting information, please see their privacy policies available at the links above.

Credit reporting bodies offer a service to credit providers wishing to send direct marketing material about credit services to individuals. This is called "credit pre-screening". You have the right to request that the credit reporting bodies do not use your credit reporting information for this purpose. To opt out of credit pre-screening, contact the credit reporting body, using the contact details on their websites noted above.

You can also ask a credit reporting body not to use or disclose your credit reporting information for a period if you believe on reasonable grounds that you have been or are likely to be a victim of fraud.

#### **6.2.5 Others:**

- A potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer or merger of part or all of UBS's business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it;
- Any legitimate recipient required by applicable laws or regulations.

#### **6.3 Data transfers to other countries**

The Personal Information transferred within, or outside UBS and the UBS Group as set out in Sections 6.1 and 6.2, is in some cases also processed in other countries. We only transfer your Personal Information abroad to countries which are considered to provide an adequate level of data protection, or in the absence of such legislation that guarantees adequate protection, based on appropriate safeguards (e.g., standard contractual clauses adopted by the European Commission to the extent recognized by the competent Data Protection Authority or another statutory exemption) provided by local applicable law.

A copy of these measures can be obtained by contacting the Group Data Protection Office. If and to the extent required by applicable law, we implement the necessary legal, operational and technical measure and/or enter into an agreement with you before such transfers.

You acknowledge and agree that if you supply your information to any member of the UBS Group, this Personal Information may be transferred between related bodies corporate or to third parties who supply services to a member of the UBS Group.

A list of the countries in which UBS and the UBS Group operate can be found at <https://www.ubs.com/global/en/our-firm/locations.html>.

## **7 How long do we store your data?**

We will only retain Personal Data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory, or internal policy requirements. To help us do this, we apply criteria to determine the appropriate periods for retaining your Personal Data depending on its purpose.

We will keep your personal data for as long as you are our customer to allow us to provide you with the services and to meet our regulatory requirements, as specified in this document.

Once our relationship with you has ended (for example, after your account has closed or following a transaction such as a payment, your application for a product is refused, or you decide not to go ahead with an application), we will only keep your personal data for a period that is appropriate, which in many cases is up to 10 years after your account closes or following a transaction such as a payment. The period we keep information for is often linked to the amount of time available to bring a legal claim, required by law or regulations, or for compliance and risk management.

We will keep your personal data after this time if we have to do so by law, if there are existing claims or complaints that will reasonably require us to keep your information, or for regulatory reasons. If we do need to keep your information for a longer period, we will continue to protect that information. However, if you wish to have your Personal Data removed from our databases, you can make a request as described below, which we will review as set out therein.

## **8 What are your rights and how can you exercise them?**

Should you wish to know what information the UBS Group holds about you, you may request to view this information by contacting our handling units at:

- [sh-clientservice-ubsam@ubs.com](mailto:sh-clientservice-ubsam@ubs.com), if you are a client of UBS Asset Management (Australia) Ltd;
- [sh-ibdiso@ubs.com](mailto:sh-ibdiso@ubs.com), if you are a client of UBS AG Australia Branch, UBS Investments Australia Pty Ltd, UBS Securities Australia Ltd or UBS Nominees Pty Ltd;
- [SH-HR-DATA-REQUESTS-SNOW@ubs.com](mailto:SH-HR-DATA-REQUESTS-SNOW@ubs.com) if you are a former employee or candidate;

We will promptly investigate your enquiry and provide you with appropriate answers where required or permitted.

Should you discover that any information is outdated, incorrect or incomplete you may request to have the information corrected and the UBS Group will promptly update its records.

You may also contact the Group Data Protection Office by emailing [dpo-apac@ubs.com](mailto:dpo-apac@ubs.com) if you have any questions on our compliance with the Privacy Act or if you wish to make a complaint about our handling of your Personal Information, including a failure by us to comply with the Privacy Act or the Credit Reporting Privacy Code (the "CR Code") in our handling of your credit information and credit eligibility information.

Your complaint should first be made in writing to UBS Group, as required by the Privacy Act. We will endeavor to respond to a complaint within 30 days. If an issue has not been resolved to your satisfaction, you can lodge a complaint with the Australian Financial Complaints Authority ("AFCA"). AFCA provides fair and independent financial services complaint resolution that is free to consumers.

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

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

Telephone: 1800 931 678 (free call)

In writing to: Australian Financial Complaints Authority, GPO Box 3, Melbourne VIC 3001

If you remain dissatisfied with the outcome of the complaint following its determination by AFCA, you may lodge a complaint with the Office of the Australian Information Commissioner. The contact details of the Office of the Australian Information Commissioner can be found below:

Office of the Australian Information Commissioner

Telephone: 1300 363 992  
Website: [www.oaic.gov.au](http://www.oaic.gov.au)  
Address: GPO Box 5218  
Sydney, NSW 2001





**9 Changes to your Personal Information**

We are committed to keeping your Personal Information accurate and up to date. Therefore, if your Personal Information changes, please inform us of the change as soon as possible.

**10 Updates to this Policy**

This Policy was updated in April 2024. We reserve the right to amend it from time to time. Any amendment or update to this Policy we will make available to you [here](#). Please visit the UBS website frequently to understand the current Policy, as the terms of this Policy are closely related to you.

**11 List of UBS entities covered by this Policy:**

Entity Name	Registered Address
UBS AG Australia Branch	Level 16, Chifley Tower, 2 Chifley Square, Sydney, NSW 2000, Australia
UBS Asset Management (Australia) Ltd	
UBS Investments Australia Pty Ltd	
UBS Nominees Pty Ltd	
UBS Securities Australia Ltd	
UBS Optimus Foundation Trustee Pty Ltd	
UBS Optimus Foundation Australia	
UBS Optimus Foundation Australia International Ltd	

If you have any questions or comments about this Policy, please contact the Group Data Protection Office at [dpo-apac@ubs.com](mailto:dpo-apac@ubs.com). Contact details of the Group Data Protection Officer can be found [here](#)