



## Max Recovery Privacy Policy- Australia

This Privacy Policy applies to Max Recovery Australia Pty Ltd (referred to in this Policy as "Max Recovery", "we" or "us"). Max Recovery recognises the importance of the personal information we hold about individuals and the trust they place in us.

We are committed to safeguarding your personal information in accordance with the requirements of the Privacy Act 1988.

By explaining our Privacy Policy to you, we hope that you will better understand how we keep personal information private and secure while using it to provide services and products. Please also refer to our Credit Reporting Policy, available by visiting our website [www.maxrecovery.com](http://www.maxrecovery.com) for further details on we handle credit related information.

In general, we will not use or disclose personal information collected about you otherwise than for the purposes set out in this Policy, for a purpose you would reasonably expect, a purpose required or permitted by law, or a purpose otherwise disclosed to, or authorised by you.

We may, in connection with particular services we offer or provide to you, make other privacy disclosures to you or seek your authority to use your personal information in ways which are different from or more specific than those stated in this Privacy Policy. In the event of any inconsistency between the provisions of this Privacy Policy and those additional materials, the provisions of the additional materials will prevail.

### **What is Personal Information?**

Personal Information is information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

### **Kinds of Personal Information we collect and hold**

The kind of Personal Information we may collect about you generally includes:

- name;
- address;
- date of birth;
- gender;
- nationality;
- residency status;
- telephone number;
- e-mail address;
- financial information;

- employment history;
- education history;
- information contained in identity document, such as a passport number and drivers licence number; and
- information necessary to make or receive payments in relation to a debt owned by us

In certain circumstances, we may also collect Personal Information which is sensitive. This may include information about your:

- health;
- racial or ethnic origin;
- political opinion or membership of political association;
- religious or philosophical beliefs;
- membership of professional or trade associations or trade union; and
- criminal record.

For example, we may collect health information in connection with an application to vary a debt agreement on the basis of changed circumstances.

### **How we collect Personal Information**

We will collect Personal Information directly from you when you:

- update your Personal Information or another person's Personal Information held by us;
- deal with us over the telephone or in person;
- send us a letter.

On occasions, we may need to collect Personal Information about you from third parties. This may include, but is not limited to:

- another financial institution (for example, the original credit provider on a debt that we have purchased or are considering to purchase);
- the trustee or administrator in relation to an insolvency administration or bankruptcy;
- our agents and service providers which may be located overseas;
- law enforcement bodies;
- statutory and regulatory bodies;
- publicly available sources including the Internet and telephone directories;
- industry databases;
- Credit Reporting Bodies

We are only permitted to collect your sensitive information in limited circumstances, such as with your express or inferred consent.

### **Other issues regarding our collection of Personal Information**

If at any time you provide us with Personal Information about another person, you acknowledge that you will ensure that the person has been notified of all relevant matters required under the Privacy Act relating to our collection of such information and has consented to the collection, use and disclosure of their Personal Information by us as set out in this Privacy Policy.

If we are not provided with certain Personal Information we may not be able to provide some or all of our services.

In certain circumstances, we may be required or authorised to collect Personal Information under certain laws that apply to Max Recovery including the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

## **How we hold Personal Information**

Your Personal Information may be held within our (or our service providers'):

- premises in paper records;
- computer systems including email, servers, hard drives and applications; and
- data storage systems.

## **Security of Personal Information**

Max Recovery will take reasonable steps to protect the Personal Information it holds from interference, misuse and loss and from unauthorised access, modification or disclosure. In line with our internal authorisation and access policies, employees only have access to information on a need to know basis.

To the extent permitted by law, Max Recovery will take reasonable steps to destroy or permanently de-identify Personal Information if it is no longer needed for any purpose for which the information may be used and disclosed under this Policy except in circumstances where Max Recovery is required or authorised to retain such Personal Information (including as a result of the operation of tax, financial services or other applicable law).

## **Purposes for which we collect, hold, use and disclose Personal Information**

Personal Information may be collected, held, used or disclosed for the purpose of undertaking Max Recovery's obligations and providing services and products or for any of the following purposes:

- managing our relationship with you;
- responding to queries or requests;
- all existing or future due diligence, verification procedures and ongoing account administration (including but not limited to monitoring, screening and sanctions risks assessment);
- performing our administrative operations, including accounting, record keeping, archiving, systems development and testing and staff training;
- performing control and risk management functions – including monitoring credit exposure, conducting credit checks and audits generally, and anti-money laundering regulatory screening, reporting and monitoring;
- enhancing operational, technology, finance, compliance and other support function efficiencies;
- facilitating the recovery of payments owed to us (for example, payments related to an insolvency administration or bankruptcy)
- handling complaints and managing legal matters and litigation;
- when considered necessary by Max Recovery or its related bodies corporate to comply with any law, regulation, court order or requirement of a regulatory or self-regulatory body, tax authority or industry body, whether in Australia or another jurisdiction; and
- any other purpose relating to or in connection with the business or dealings of Max Recovery.

## Disclosure of Personal Information

We may disclose your Personal Information to the following parties:

- Your former creditor from whom the debt was purchased;
- Debt administrators and trustees;
- employees, agents, subcontractors, insurers, consultants, affiliated or unaffiliated providers of outsourced or other services in connection with provision of services or otherwise in connection with the operation of Max Recovery business, including providers of archival, customer contact, banking, payment, delivery, data processing, data analysis, document management, information broking, research, investigation, insurance, website and technology services;
- lawyers, accountants, business consultants and other professional advisers of Max Recovery;
- governmental, regulatory, supervisory, law enforcement or similar authority (including tax authority) or industry body in any jurisdiction;
- any court of competent jurisdiction in defence of claims or enforcement of rights;
- auditors of Max Recovery;
- actual or potential purchasers of parts of our business, and their respective advisers and insurers;
- an assignee or a proposed assignee of any of Max Recovery's rights or obligations;
- any person or organisation who introduces you to us;
- credit reporting bodies;
- debt collection agencies;
- any person to the extent necessary, in our view, in order to carry out the instructions given to us;
- our related bodies corporate.

In some cases, we may need to disclose your Personal Information to overseas recipients. The countries in which these recipients may be located will vary from time to time, but may include Argentina, India, United Kingdom and the United States.

By agreeing to this Privacy Policy, you consent to the disclosure of your Personal Information outside Australia as set out in this Privacy Policy, and acknowledge that Max Recovery is not required to ensure that overseas recipients handle your Personal Information in compliance with Australian privacy law, and that you may not be able to seek redress under that law. However, where practicable in the circumstances, Max Recovery will take reasonable steps to ensure that overseas recipients use and disclose such Personal Information in a manner consistent with this Privacy Policy.

## Access to your Personal Information

If at any time you would like to request access to the Personal Information we are holding about you, you are welcome to ask us in a form or manner which identifies the nature of the Personal Information requested.

Requests can be made to your Max Recovery business contact or the Privacy Officer for the Australian operation of Max Recovery Australia Pty Ltd as follows:

Email: [privacy@maxrecovery.com](mailto:privacy@maxrecovery.com)  
Phone: 1300 576 005  
Mail: Level 18/ 85 Castlereagh Street, Sydney NSW 2000

Generally, we will provide you with access to the Personal Information we hold about you within a reasonable time. Under certain circumstances however, we may not be able to provide you with access to the Personal Information we hold about you. This includes where, in certain circumstances:

- it would have an unreasonable impact on the privacy of another individual;
- the request is frivolous or vexatious
- information relates to legal proceedings;
- the information would reveal a commercially sensitive decision-making process; or
- we are prevented by law from disclosing the information, or providing access would prejudice certain investigations.

Unless we are unable to do so, we will inform you of the reason(s) for refusing access.

We may charge a fee for providing access to your Personal Information.

### **Corrections to your Personal Information**

We will take reasonable steps to ensure that your Personal Information that we collect, use and disclose is accurate, complete and up to date. This includes correcting Personal Information we identify as being incorrect or where you are able to demonstrate that the Personal Information we hold about you is incorrect.

If at any time, you find that the Personal Information we hold about you is inaccurate, incomplete, out-of-date, irrelevant or misleading please advise your Max Recovery Australia Pty Ltd contact or our Privacy Officer immediately using the contact details above.

If you request a correction to the Personal Information we hold about you and we consider that we are not able to correct the Personal Information in the manner you have requested, then, unless we are unable to do so, we will inform you of the reason(s) for refusing to correct the Personal Information.

### **Complaints**

If you wish to make a complaint about our collection, use or disclosure of your Personal Information, you should contact your Max Recovery contact or our Privacy Officer (using the contact details above) in writing.

We will make every effort to resolve your complaint internally within a reasonable time.

If you are not satisfied with our response, you may lodge a complaint with:

- the *Australian Financial Complaints Authority*:

Email: [info@afca.org.au](mailto:info@afca.org.au)  
Phone: 1800 931 678  
Mail: GPO Box 3 Melbourne VIC 3001  
Website: [www.afca.org.au](http://www.afca.org.au)

- otherwise you may contact the *Office of the Australian Information Commissioner*:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Phone: 1300 363 992  
Mail: GPO Box 5212 Sydney NSW 2001  
Website: [www.oaic.gov.au](http://www.oaic.gov.au)

## **Changes to this Privacy Policy**

Please note that this Privacy Policy may change from time to time. You may at any time request a current copy from your Max Recovery business contact or access it from the Max Recovery web site ([www.maxrecovery.com](http://www.maxrecovery.com)). We encourage you to review our Privacy Policy periodically for any changes.

## **Need more information?**

If you have a query concerning how your Personal Information is collected and used or in relation to Max Recovery's Privacy Policy, please contact our Privacy Officer using the contact details above. Additional information, including the Australian Privacy Principles, may be found on the Office of the Australian Information Commissioner's web site.

## **Accessibility:**

If you are deaf or have a hearing or speech impairment, you can obtain assistance from the National Relay Service.

Website at <http://relayservice.gov.au>  
Phone (TTY): 1800 555 630.