

# Credit Guide and Privacy Statement

## ABOUT US (“we, us, our”):

<b>Credit Representative</b>	Caroline Lima Credit Representative Number 490752  Address: PO Box 434, Unanderra NSW 2526 Tel: 0417 213 376 Email address: caroline@embracefinancing.com.au Website: www.embracefinancing.com.au
<b>An employee or representative of:</b>	
<b>Licensee</b>	KINGSTON CAPITAL SERVICES AUSTRALIA PTY LTD “(KCSA)” Australian Credit Licence Number: 495606 48 Jackson Cres Pennant Hills NSW 2120 Tel: 0409 007 706
<b>Broker Group</b>	Professional Lenders Association Network of Australia Pty Ltd ACN 086 490 833 as trustee of the PLAN Australia Unit Trust Credit Representative Number: 392535

This document provides you with information relating to our activities and those of our credit representatives. It contains information about various fees and charges that may be payable by you to us, as well as about certain commissions we may receive from a licensee when we are acting as a credit representative, or we pay to certain third parties. It also contains information about what you should do if you have a complaint or dispute in connection with our services as a credit representative.

## WHAT IS A CREDIT REPRESENTATIVE?

A ‘credit representative’ is a person who has been authorised by a credit licensee to engage in specified credit activities on behalf of the licensee. The particulars of our licensee are noted in the table above.

## WHAT IS CREDIT ASSISTANCE?

We give you credit assistance when:

- we assist you to apply for a particular loan or lease;
- we suggest you apply for a particular loan or lease (or suggest you apply for an increase to an existing loan); or
- we suggest you remain in your current loan or lease.

## THE ASSESSMENT WE NEED TO DO BEFORE GIVING YOU CREDIT ASSISTANCE

Before we provide credit assistance to you, we assess whether the particular loan or lease is suitable for you. To do this, we need to make reasonable inquiries and verify that:

- the loan or lease or increase will meet your requirements and objectives; and
- you can meet the proposed repayments.

We won't be able to give you credit assistance if our assessment shows that:

- you won't be able to meet the proposed repayments without substantial hardship; or
- the loan or lease won't meet your requirements or objectives.

## GETTING A COPY OF OUR ASSESSMENT

If we provide you with credit assistance, you can ask us for a copy of our assessment any time up to 7 years after we provide you with a credit assistance quote. To request a copy please contact us. We will provide you with a copy:

- within 7 business days after the day we receive your request – provided you make the request within 2 years of the date of our credit assistance quote; or
- otherwise, within 21 business days after the day we receive your request.

## INFORMATION ABOUT THE LICENSEE AND ITS CREDIT REPRESENTATIVES

We act as a credit representative of the licensee. The particulars of our licensee are noted in the table above. We are authorised to engage in credit activities including providing credit assistance and acting as an intermediary on its behalf.

Subject to meeting credit criteria, we are able to assist you to obtain loans and leases for you from a broad range of lenders and lessors through our Broker Group.

The following are the Top 6 residential lenders and % of business written in the previous financial year:

- St George – 33%
- Plan Lending – 22%
- Suncorp – 11%
- CBA – 11%
- Heritage Bank – 11%
- Victorian Mortgage Group – 11%

## OWNERSHIP

We obtain mortgage aggregation services from the Broker Group. The Broker Group is a member of the National Australia Bank Group. The Broker Group provides services at arm's-length to our business which include IT systems, loan information and lodgement systems, training and development, commission processing, conferences and professional development events, and assistance with regulatory and compliance obligations. In consideration of the services the Broker Group gives us, we pay fees to the Broker Group or the Broker Group retains some of the commission panel lenders pay on loans we arrange. We have access to Broker Group panel of lenders including NAB Group and Broker Group branded products.

Our business is owned and managed independently from the Broker Group and National Australia Bank Limited (NAB).

## FEES AND CHARGES

### FEES PAYABLE FOR THE PROVISION OF CREDIT ASSISTANCE

We may charge a fee for providing credit assistance or associated with providing credit assistance. More detail about those fees will be set out in a quote we will give to you before we provide you with credit assistance.

### FEES PAYABLE IN RELATION TO ACTING AS A CREDIT REPRESENTATIVE

We may receive remuneration from our employer, our licensee and/or Broker Group. We do not charge you any fees or charges in relation to acting as a credit representative.

### OTHER FEES AND CHARGES

You may have to pay other fees and charges (such as an application fees, valuation fees and other fees) to the lender, lessor or other parties. You should review the disclosure documents and your loan contract or lease for further details of any such fees and charges.

## COMMISSIONS

### COMMISSIONS WE RECEIVE FROM OUR LICENSEE

The Broker Group receives commissions from lenders and lessors and pays us commission in relation to loan contracts or leases for which we act as a credit representative and provide credit assistance. The total amount of commission we may receive in relation to your loan or lease may vary depending on the lender or lessor, the term, the features, the amount of the loan or lease you ultimately choose and the amount and timing of the repayments that you make.

#### Loan Contracts such as Home Loans, Investment Property Loans

Upfront commission payable by lenders in relation to home loans and investment property loans is calculated as a percentage of the loan amount and is generally in the range of 0.3% and 1.1% of the loan amount. It is usually paid after settlement of the loan.

Trail commission payable by lenders in relation to home loans and investment property loans is generally calculated regularly (monthly, quarterly, bi-monthly or annually) on the outstanding loan balance and is paid in arrears. The trail commission payable by lenders is generally in the range of 0% per annum and 0.38% per annum of the outstanding loan amount.

#### Personal Loans

Upfront commission payable by lenders in relation to personal loans is calculated as a percentage of the loan amount and is generally in the range of 0.4% and 7% of the loan amount. It is usually paid after settlement of the loan.

#### Leases

Upfront commission payable by lessors in relation to leases is calculated as a percentage of the lease amount and is generally in the range of 0% and 5% of the lease amount. It is usually paid after settlement of the lease.

Trail commission is generally not payable in relation to leases.

Further details of the commission earned by us will be included in the credit proposal disclosure document we will provide to you at the same time as we provide you with credit assistance.

You can request information from us about the fees that we are likely to receive, how those fees are calculated, and our reasonable estimate of the fees or commissions that will be payable.

## VOLUME BONUS ARRANGEMENTS

We and our Broker Group do not receive any volume based benefit for residential home loan products. However, from time to time we or the Broker Group may receive a benefit, directly by way of cash bonus or additional commissions or indirectly by way of training, professional development days or sponsorship, if we or the Broker Group write a particular volume of loans offered by lenders for products such as commercial and lease products.

## COMMISSIONS PAYABLE BY US

If a third party has introduced you to us or referred you to us, we may pay them a commission or a fee. More detail about those payments will be set out in the credit proposal disclosure document we will give to you before we provide you with credit assistance.

We may obtain referrals from a range of sources, including real estate agents, accountants, financial planners or other people.

Further information about referral commissions, including our reasonable estimate of the amount of any commission payable and how it is calculated is available from us on request and will be included in the credit proposal disclosure we will supply to you when we provide you with our credit assistance.

## DISPUTES OR COMPLAINTS

### WHAT TO DO IF YOU HAVE A DISPUTE OR COMPLAINT?

We are committed to providing our customers with the best possible service. If at any time we have not met our obligations – or you have a complaint about any of our services – please inform us so we can work towards a resolution. We will endeavour to deal with your complaint promptly, thoroughly and fairly.

### HOW TO MAKE A COMPLAINT AND THE COMPLAINTS PROCESS?

If you have a complaint, we request you follow these steps:

1. If your complaint is about your loan, in the first instance please contact your lender or credit assistance provider.
2. If your complaint has not been resolved to your satisfaction within 5 business days or if your loan is about the services we give you, please contact the Licensee as listed in the table above.

### THIRD PARTY PRODUCTS OR SERVICES

If your complaint relates to a product or service acquired through a third party (for example, a lender) we may ask you to contact the relevant third party. They will deal with your complaint under their complaints resolution process.

If you are not satisfied with the resolution of your complaint by the third party under their complaints resolution process, you are entitled to have your dispute considered by their External Dispute Resolution Scheme. Please contact the third party for further details.

## KEEPING YOU INFORMED

Our Complaints Area will acknowledge receipt of your complaint within five business days. If unable to resolve the complaint/dispute to your satisfaction within five business days, they will write to you advising the procedures we will follow in investigating and handling your complaint.

Within 45 calendar days from the date you lodged the complaint with us, we will write to you advising you the outcome of the investigation and the reason/s for our decision, or if required, we will inform you if more time is needed to complete the investigation.

## STILL NOT SATISFIED?

If you do not think we have resolved your complaint to your satisfaction, you may take the matter – free of charge – to the relevant External Disputes Resolution Scheme (provided it is within the scheme's terms of reference) as detailed below. You may also refer the matter to the relevant External Disputes Resolution Scheme at any time, but if our internal process is still in progress, they may request that our internal processes be complete before considering the matter further.

Our external dispute resolution service provider is

- the Australian Financial Complaints Authority (AFCA), which can be contacted via:
  - Online: [www.afca.org.au](http://www.afca.org.au)
  - Email: [info@afca.org.au](mailto:info@afca.org.au)
  - Phone: 1800 931 678
  - Mail: GPO Box 3 Melbourne VIC 3001

Our licensee's external dispute resolution service provider is

- the Australian Financial Complaints Authority (AFCA), which can be contacted via:
  - Online: [www.afca.org.au](http://www.afca.org.au)
  - Email: [info@afca.org.au](mailto:info@afca.org.au)
  - Phone: 1800 931 678
  - Mail: GPO Box 3 Melbourne VIC 3001

## OTHER DISCLOSURES

### BROKER BENEFITS DISCLOSURES

In line with industry reforms, I am required to keep a register of benefits received from any lenders or aggregators to the value of \$100 or more which is kept current (over a rolling 12 month period and housed for 3 years). In the interest of transparency and good customer outcomes, an applicant may request a copy of this register to ensure there are no lender conflicts.

### TIERED SERVICING DISCLOSURES

We have access to service programs available from some residential home loan providers. We access these services based on a number of measures. These programs promote preferential services to a customer and do not entitle us to additional payments or commissions or to preferential customer discounts.

# Privacy Statement

We need to collect personal information about you to provide you with our broking & related services. This privacy statement tells you how we collect your information, what we use the information for and who we share the information with. If we collect information that can be used to identify you, we will take reasonable steps to notify you of that collection.

## **How information is collected from you**

We will collect your information from you directly whenever we can, like from enquiries we make of you when you seek credit assistance from us. We may verify that information from sources referred to in the responses to those enquiries or in this privacy statement.

## **How information is collected from other sources**

Sometimes we will collect information about you from other sources as the Privacy Act 1988 permits. We will do this only if it's reasonably necessary to do so, for example, where:

- we collect information from third parties about a loan or lease in relation to which you seek our services;
- we can't get hold of you and we rely on public information (for example, from public registers or social media) or made available by third parties to update your contact details; or
- we exchange information with your legal or financial advisers or other representatives.

## **When the law authorises or requires collection of information**

Some law may require us to collect personal information about you. For example, we may require your information to verify your identity under Australian Anti-Money Laundering law.

## **How your information may be used**

We may use your information for purposes including:

- giving you credit assistance;
- giving you information about loan products or related services including help, guidance and advice;
- considering whether you are eligible for a loan or lease or any related service you requested including identifying or verifying you or your authority to act on behalf of a customer;
- assisting you to prepare an application for a lease or a loan;
- administering services we provide, for example, to answer requests or deal with complaints;
- administering payments we receive, or any payments we make, relating to your loan or lease;
- telling you about other products or services we make available and that may be of interest to you, unless you tell us not to;
- identifying opportunities to improve our service to you and improving our service to you;
- telling you about other suppliers, with whom we have arrangements, that supply goods or services that may be of interest to you;
- allowing us to run our business efficiently and perform general administrative tasks;
- preventing or investigating any fraud or crime or any suspected fraud or crime;
- as required by law, regulation or codes binding us; and
- any purpose to which you have consented.

You can let us know at any time if you no longer wish to receive direct marketing offers from us. We will process your request as soon as practicable.

## **What happens if you don't provide information?**

If you don't provide your information to us, it may not be possible to:

- assist in finding a loan or lease relevant to your circumstances;
- verify your identity or protect against fraud; or
- let you know about products or services that might be suitable for your financial needs.

## **Sharing Your Information**

### General

We may use and share your information with other organisations for any purpose described above.

### Sharing with your representatives and referees

We may share your information with:

- your representative or any person acting on your behalf (for example, lawyers, settlement agents, accountants or real estate agents); and
- your referees, like your employer, to confirm details about you.

### Sharing with third parties

We may share your information with third parties in relation to services we provide to you or goods or services in which we reasonably consider you may be interested. Those third parties may include:

- the Broker Group through whom we submit loan or lease applications to lenders or lessors on the Broker Group's panel. You can access the Broker Group's privacy notice at [www.planaustralia.com.au/privacy-policy](http://www.planaustralia.com.au/privacy-policy)  
It sets out how that Broker Group manages your personal information and where you can find its privacy policy;
- the Licensee, KCSA Pty Ltd, that authorises us to engage in credit activities. You can view KCSA's privacy notice at the same internet address as our Broker Group's privacy notice. It sets out how KCSA manages your personal information and where you can find its privacy policy;
- referrers that referred your business to us;
- financial services suppliers with whom we have arrangements;
- valuers;
- lenders, lessors, lender's mortgage insurers and other loan or lease intermediaries;
- organisations, like fraud reporting agencies, that may identify, investigate and/or prevent fraud, suspected fraud, crimes, suspected crimes, or other misconduct;
- government or regulatory bodies as required or authorised by law. In some instances, these bodies may share the information with relevant foreign authorities;
- guarantors and prospective guarantors of your loan or lease;
- service providers, agents, contractors and advisers that assist us to conduct our business for purposes including, without limitation, storing or analysing information;
- any organisation that wishes to take an interest in our business or assets; and
- any third party to which you consent to us sharing your information.

### Sharing outside of Australia

We may use overseas organisations to help conduct our business. As a result, we may need to share some of your information (including credit information) with such organisations outside Australia. The countries in which those organisations are located are: N/A

We may store your information in cloud or other types of networked or electronic storage. As electronic or networked storage can be accessed from various countries via an internet connection, it's not always practicable to know in which country your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed.

Overseas organisations may be required to disclose information we share with them under a foreign law. In those instances, we will not be responsible for that disclosure.

## **Privacy Policy**

You can find out more about how we manage your information by reading our Privacy Policy available by contacting us. Please see our contact details above. [Also, you can read and obtain a copy of that policy at our website address set out above.] Our Privacy Policy sets out how you can ask us to access and seek to correct information we hold about you and how you may complain against us about a privacy issue.

**Information about other people**

If you give information to us about another person (like your co-applicant) in relation to the services we provide, you will let that other person know that:

- we have collected their information to provide those services or for any other purpose set out in this privacy notice;
  - we may exchange this information with other organisations set out in this privacy notice;
  - we handle their personal information in the way set out in our Privacy Policy and this privacy notice and they can:
    - access or request a copy of that privacy policy or this privacy notice; or
    - access the information we hold about that other person,by using our contact details above; and
- we may not be able to provide those services to you unless we obtain their information.