



Privacy Policy

First American Title Insurance Company of Australia Pty Ltd

First Mortgage Services Pty Ltd

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Introduction

First Title is the trading name of First American Title Insurance Company of Australia Pty Limited ABN 64 075 279 908 ("First Title"). First Title has a related body corporate which provides mortgage processing and loan servicing services, known as First Mortgage Services ("FMS").

What is Title Insurance?

Title insurance protects the insured against loss caused by a range of property ownership and use risks related to the insured's legal interest in the land. For lenders, it ensures that they have a valid and enforceable mortgage that ranks in first priority. A Title Insurance policy is one of indemnification, so all an insured has to establish is that they have suffered loss under a covered risk. An additional benefit of title insurance is that it covers all costs, legal fees and expenses in resolving a claim.

What are mortgage processing and loan servicing services?

These are the mortgage documentation, settlement, discharge and loan servicing services provided by FMS to the lender.

This Privacy Policy

We want you to know your privacy is important to us and we are serious about protecting your personal information. Part 1 of this Privacy Policy tells you how First Title and FMS (together, "we" or "us") collect and hold your personal information, what we use your personal information for and who we disclose your personal information to. It also contains information about how you can seek access to and the correction of the personal information we hold about you and how you can lodge a complaint about a breach of the Australian Privacy Principles.

In Part 2 of this Privacy Policy, we set out how FMS manages credit information and credit eligibility information it holds about you.

Part 1 - Personal Information

Why do we collect, hold, use and disclose your personal information

To enable First Title to provide title insurance services and for FMS to provide mortgage processing and loan servicing services to you or your lender, we need to collect personal information about you or have other parties collect it on our behalf. Your lender, mortgage broker, legal representative/conveyancer or agent may disclose personal information about you to us in order to provide you or your lender with requested products and services.

The personal information we collect about you from your lender, the existing lender (where there is a refinance), your broker, your agent, your legal representative/conveyancer or you directly will only be relevant to the business relationship we have with you or your lender or representative and will be used to provide you or your lender or representative with title insurance and mortgage processing and loan servicing services.

The reason First Title collects, holds, uses and discloses your personal information is:

- to assess the risk of providing title insurance to you or your lender;
- for the subsequent administration or variation of the title insurance policy;
- for reporting and enforcement activities in circumstances where we are required to report on claims to other parties or organisations which are part of the First Title Group;
- for claim recovery action in circumstances where First Title is entitled to recover its loss as a result of making payment on a claim;
- to deal with claims and to enforce a loan in place of a lender if First Title pays out an insurance claim on the lender's loan;
- for a title insurance purpose relating to you;
- to comply with legislative and regulatory requirements under the *Privacy Act 1998* and *Insurance Contracts Act 1984* as amended from time to time;
- to improve your experience when you use our products and/or services.

The reason FMS collects, holds, uses and discloses your personal information is:

- to assist your lender in documenting the loan transaction and providing other mortgage processing services such as registering the new mortgage over your security property or in the case of a refinance; discharge your existing mortgage over the security property and assist in registering the new mortgage;
- to enable the provision of loan servicing services;
- to improve your experience when you use our services.

The kind of personal information we collect and hold

The kind of personal information First Title collects and holds about you includes, but may not be limited to:

- personal information about you contained in a conveyancer's, lender's file or you provide to enable First Title to provide title insurance services to you or to your lender.

any other information we think is necessary to do business with you. The kind of personal information FMS collects and holds about you includes, but may not be limited to:

- personal information about your financial arrangements when you apply for a loan from your lender and will include information like the loan amount, credit

information, security property and other relevant loan information or details of your existing loan where this is being refinanced by your lender; and

- any other information we think is necessary to do business with you.

The kind of personal information we collect and hold about you includes information that identifies you like your name, address, telephone number, email, security property, purchase price, loan amount, assets and liabilities, transaction history and other contact details.

How we generally collect your personal information

Whenever it is possible to do so, First Title collects personal information about you directly from you. This is usually done through application forms for title insurance, over the phone, by email or even in person if you visit our office.

In other instances, First Title may collect personal information about you from other parties.

First Title may collect personal information about you from other parties in the following examples (but may not be limited to the examples listed below):

- your representatives (such as your legal adviser/conveyancer or your broker) who are acting for you in a purchase or refinance and have been instructed by you to obtain a title insurance policy for your benefit.
- Government agencies such as a state or territory land titles office when we do a search of the land title over your property in order to issue a title insurance policy.
- when you approach your lender and its agents for a loan and your lender needs a title insurance policy or certain other services for the benefit of the lender.
- our website at www.firsttitle.com.au through the use of our eTitle portal.
- third party Customer Relationship Management Systems, marketing and feedback service providers, such as Salesforce (salesforce.com) and MaritzCX (maritzcx.com).
- publicly available information about you, including information from telephone directories or social media websites.

FMS may collect personal information about you from other parties in the following examples (but may not be limited to the examples listed below):

- when your lender engages FMS to provide mortgage processing and loan servicing services.
- Government agencies such as a state or territory land titles office when we do a search of the land title over your property.

- third party Customer Relationship Management Systems, marketing and feedback service providers, such as Salesforce (salesforce.com) and MaritzCX (maritzcx.com).

Collection of personal information for other purposes

We may collect, hold, use and disclose personal information about you including your name, contact details, educational details, employment information and information about your referees in order to assess your suitability for employment with us as an employee or contractor. We may collect this information directly from you or through a third party (for example, where you are referred to us through a recruiting agent).

We may also collect, hold, use and disclose personal information about you including your contact details and payment details in order to do business with you. We usually collect this information directly from you.

First Title may also collect personal information that is publicly available about currently practising solicitors through purchased customer lists.

Use & disclosure of your personal information

We use and disclose the personal information we collect so that we may:

- continue to conduct our business of providing title insurance, mortgage processing and loan servicing services to you or your lender and improve the products and services we provide;
- let you know about our products and services, run competitions or promotions and other opportunities which may be of interest to you.
- request your feedback about the products and services we provide. Your feedback will help us provide you with better products and services and improve the way we do business with you. We will not continue to solicit your feedback if you inform us you do not wish to receive such requests; and
- to prevent or investigate any actual or suspected fraud, unlawful activity or misconduct or as required by law.

Collection of solicited information other than sensitive information

We do not collect sensitive information about you. Sensitive information includes information about your religious beliefs or affiliations, political opinions, personal health information, ethnicity, criminal records or sexual preferences.

Cross border disclosures by First Title to related bodies corporate

First Title is likely to disclose personal information about you to a related body corporate that is likely to be located in the United States.

Outsourcing and use of personal information overseas

We work with third parties to provide some types of sales, business and customer support on our behalf. We use systems provided by third parties, which may operate overseas and store personal information off-shore. These third parties may have access to systems that host your personal information. These companies are subject to strict controls that protect your information from misuse, interference, loss and unauthorised access, modification or disclosure and limit their access to your personal information to the extent necessary to do their job.

Some of the parties mentioned above are located overseas, but again, we do not release the handling of your personal information from our effective control and we only give them secure access to the personal information they need to do their job on our behalf. These overseas companies are involved in providing services like data storage and customer and technical support, and they do it from countries like the United States of America, Canada, India, Malaysia and New Zealand.

In order to maintain effective control of your personal information at all times, we ensure that parties located overseas are subject to strict controls that limit access and subsequent handling of your information to the extent strictly necessary to perform the relevant function and protect your information from unauthorised use and disclosure.

If there is a need for us to disclose personal information overseas for claims reporting, reinsurance, audit purposes, or mortgage processing and loan documentation services, in a way other than set out above, we will do it in accordance with the Australian Privacy Principles.

Direct marketing

Other than issuing you or your lender with a title insurance policy and providing mortgage processing and loan servicing services, we may use your personal information to market to you new products or services we offer, running competitions or promotions and other opportunities which may be of interest to you. We will not however market these products and services if you inform us you do not wish to receive such material.

We may also use your personal information for other reasons such as telling you about other products or services we think may interest you - unless you inform us you do wish to know of these products or services.

However, we do not supply, sell, or trade your personal information to any organisation for the purposes of direct marketing without your consent.

If you don't want to receive marketing offers, please contact the privacy officer at:

The Privacy Officer
PO Box Q1465
QVB Post Office NSW 1230,
Tel: 02 8235 4433

Security of personal information

We usually hold personal information about you on electronic databases or in hard copy records. Our systems and processes are up-to-date and continually improved in line with industry standards to ensure security of your personal information. Our systems including our network systems have the appropriate firewalls, appropriate encryption technology and passwords to help reduce the risk of unauthorised access to your personal information, virus scanning tools and management of access privileges to ensure that only those who really need it can see your personal information.

Our premises have security systems to help prevent unauthorised entry.

Access to personal information

Subject to the provisions of the *Privacy Act*, you may have access to your personal information which is collected and held by us. You can access the personal information we have collected, if we have retained it, by contacting the privacy officer as per the details above.

Quality of personal information

We rely on the personal information we hold to efficiently continue our working relationship with you and your lender. For this reason it is of utmost importance that the personal information we collect from you is accurate, complete and up to date. At each contact, we will ask you to inform us of any changes to your personal information, however, you can contact us at any time to update your personal information or inform us if any information we hold is inaccurate or incomplete. We strive to maintain the reliability, accuracy and completeness of the personal information we hold and to protect its privacy and security.

Correction of personal information

We make it a point to only collect personal information as and when we need it and directly from you if possible. This ensures the information we collect is complete, up-to-date and accurate at the time of collection. We also ask you to tell us as soon as your details change and you need your information updated.

We will also correct, amend or delete any personal information that we agree is inaccurate, out of date, incomplete, irrelevant or misleading or if an individual requests us to correct the information. The correction should occur within 30 days from the date of request, or a longer period if there is an agreement in writing between the parties.

To request correction of your personal information, please contact our privacy officer. Contact details are set out elsewhere in this policy.

Should we make a correction to your personal information, we will inform you in writing.

Complaint handling

We encourage you to approach us if you have any queries or comments in relation to our information-handling practices. If you feel we have not adequately answered your query or if you wish to make a complaint about a breach of the Australian Privacy Principles, we ask you to contact

our privacy officer. Our privacy officer will investigate your complaint and will endeavour to respond to your complaint within a reasonable period of time. If you are still unhappy, you could contact the Office of the Australian Information Commissioner (OAIC) on the privacy hotline: 1300 363 992 or review your rights by visiting the website at <http://www.privacy.gov.au>.

Part 2 - Credit Information and Credit Eligibility Information

This section of our Privacy Policy tells you how FMS manages credit information and credit eligibility information.

What kinds of credit information does FMS collect and hold?

FMS usually collects and holds the following credit information about you:

- identification information;
- consumer credit liability information;
- a statement that an information request has been made in relation to you by a lender, mortgage insurer or trade insurer;
- the type of consumer credit or commercial credit, and the amount of credit, sought in an application that has been made by you to a lender and in connection with which the provider has made an information request in relation to you;
- default information;
- payment information;
- new arrangement information;
- court proceedings information;
- personal insolvency information;
- the opinion of a lender that you have committed, in circumstances specified by the provider, a serious credit infringement in relation to consumer credit provided by the provider to you.

FMS usually collects credit information about you in credit reporting information FMS obtains about you from your lender.

What kinds of credit eligibility information does FMS usually hold?

The kinds of credit eligibility information FMS usually holds about you includes credit information FMS obtains about you in credit reporting information it obtains from your lender (set out above) and information about you that your lender derives from that credit reporting information.

How does FMS hold credit information and credit eligibility information about you?

FMS usually holds credit information and credit eligibility information about you on electronic databases or in hard copy records.

What kinds of CP derived information does FMS usually derive from credit reporting information?

FMS does not usually derive any information from credit reporting information it obtains about you.

Why does FMS collect, hold, use and disclose your credit information and credit eligibility information?

FMS collects, holds, uses and discloses credit information and credit eligibility information about you for the purposes of providing mortgage processing and loan servicing services including mortgage documentation, settlement and discharge services to you or your lender.

How you can access credit eligibility information about you which FMS hold

Subject to the provisions of the *Privacy Act*, you may have access to your credit eligibility information which FMS holds. You can access that information by contacting the privacy officer as per the details above.

Correction of credit information and credit eligibility information

You may seek the correction of credit information or credit eligibility information about you that is held by FMS by contacting the privacy officer. Contact details are set out above in this Privacy Policy.

Complaint handling

If you believe that FMS has failed to comply with the credit reporting provisions found at Division 3 of Part IIIA of the *Privacy Act* or the Credit Reporting Privacy Code, you are entitled to make a complaint.

To make a complaint, please contact the privacy officer. The privacy officer will, within 7 days after the complaint is made, give you a written notice that acknowledges the making of the complaint and sets out how we will deal with the complaint.

After we have investigated your complaint, we will, within 30 days from the day you make your complaint or such longer period you agree to in writing, make a decision about the complaint and give you a written notice that sets out the decision and state that, if you are not satisfied with the decision, you may access the Credit Ombudsman Service of which we are a member or make a complaint to the Office of the Australian Information Commissioner. The written notice will contain the contact details of those entities.

Overseas disclosures

FMS is unlikely to disclose credit information or credit eligibility information about you to overseas recipients.

Changes to our privacy policy

This privacy policy is current as at 25 July 2016. From time to time we may make changes to our systems, procedures, processes and policies. This may affect how we handle your personal information, including your credit information and credit eligibility information. Where relevant, this privacy policy will be updated to reflect any changes. We will post an updated version of the policy on this website every time it is updated.

Definitions

For the purposes of this Privacy Policy:

- All terms defined in the Privacy Act 1988 (Cth) have the same meaning when used in this Privacy Policy.
- "Lender" means "credit provider" as that term is defined under the Privacy Act 1988 (Cth).