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## Credit Guide

Congratulations on choosing EMCE Partners Pty Ltd who is a full member of the Mortgage and Finance Association of Australia. This is the Credit Guide of EMCE Partners Pty Ltd ACN 603 025 225, Australian Credit License 474255. We are licensed to arrange loans and leases under the National Consumer Credit Protection Act 2009. **(NCCP Act)**. The NCCP Act regulates the activity of lending and finance broking.

### July 2019 – Version 3.21

This document provides you with important information about EMCE Partners Pty Ltd and the services we provide.

#### About this Credit Guide

This credit guide is designed to assist you in deciding whether to use the services we offer

#### Services we provide

We will provide you with information on a range of lenders and products. Once you have chosen a loan or lease that is suitable for you, we will help you obtain an approval.

#### Lenders and Associations

The representatives of EMCE Partners have been providing lending solutions to Australians since 1999. We source finance from a panel of lenders. The lenders named below are the six lenders with whom we conduct the most business:

- Westpac – 6.96%
- ING Direct – 17.24%
- Macquarie Bank – 9.70%
- Permanent Custodians Ltd – 40.01%
- NAB – 6.16%
- LaTrobe – 11.70%

EMCE Partners also has referral arrangements with YBR Sans Souci, NLG Leasing and Advance Investment Securities Australia as well as being member of Broker Group Pennley Pty Ltd (Choice).

The lenders which EMCE Partners holds accreditations with are as follows:

- Adelaide Bank
- AMP
- ANZ
- CBA
- ChoiceLend
- CitiBank
- ING
- LaTrobe Financial
- Liberty Financial
- Macquarie Bank
- ME Bank
- NAB
- Pepper Money
- Permanent Custodians Limited
- St George
- Suncorp

## Responsible Lending & Obligations to You

Under the NCCP Act, we are obliged to ensure that any lease, loan or principal increase to a loan we help you to obtain or enter is not unsuitable for you. To decide this, we may need to ask you some questions in order to assess whether the loan or lease is not unsuitable. The law requires us to:

- Make reasonable enquiries about your requirements and objectives;
- Make reason enquiries about your financial situation;
- Take reasonable steps to verify the financial situation.

Credit will be unsuitable if at the time of the assessment; it is likely that at the time the credit is provided:

You could not pay or could only pay with substantial hardship

The credit will not meet your requirements or objectives.

For example, if you can only repay the loan by selling your principal place of residence, it is presumed that the loan will cause substantial hardship unless the contrary is proved.

For this reason we must ask you to provide a significant amount of information. It is therefore very important that the information you provide us is complete and accurate, as if we proceed on incomplete or incorrect information, you may be in breach of your legal obligations to the lender.

We must provide you with a copy of our preliminary loan assessment of your application if you ask within seven years of when we provided credit assistance.

## Our Fees and Charges

There may be fees payable by you to us for our credit assistance. If a fee for service is required, the details of this fee will be provided to you in a credit quote. The Lenders may charge other fees associated with the loan. These fees are not charged by us and will be disclosed to you prior to the submission of the application to the lender.

## Commissions

We may receive commissions from the lenders and lessors who provide finance for you as our customers. These are not fees payable by you. You may obtain from us information about a reasonable estimate of those commissions and how the commission is worked out.

## Referrals

We source referrals from a broad range of sources. For example, we may pay fees to accountants, solicitors, or property agents for referring you to us. These referral fees are generally small amounts and accord with usual business practice. These are not fees payable by you. You may, on request, obtain a reasonable estimate of those commissions and how the commission is worked out.

## Our Dispute Resolution Procedures

We hope you are delighted with our services, but if you have any complaints you should notify us first by contacting:

### Internal Complaints Officer

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**Chris Charalambous**

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**Ph:** 02 9529 2611

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**Email:** [chris@emce.com.au](mailto:chris@emce.com.au)

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**Post:** PO BOX 293 Sans Souci NSW 2219

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**Web:** [www.emce.com.au](http://www.emce.com.au)

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We will try and deal with your complaint as soon as possible.

### External Complaints

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**Australian Financials Complaints Authority  
(AFCA)**

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**Ph:** 1800 931 678

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

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**Post:** GPO BOX 3 Melbourne VIC 3001

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**Web:** [www.cio.org.au](http://www.cio.org.au)

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## Things You Should Know

- You should make your own enquiries about the value of the real estate and its potential for future growth.
- You should ensure that you have approved finance before entering a binding contract to purchase.
- Before you accept your loan offer, make sure you read the credit contract/loan agreement carefully to understand full details of the loan. If you have any doubts, you should obtain independent legal and financial advice before you enter any loan contract.
- We represent lenders and have obligations to them, in particular not to provide any information we know is misleading or deceptive. We also have obligations under the law to report any fraud, forgery, or other illegal activities. Before using our services, it is important that you understand that we have these obligations to lenders and under the law.



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## Privacy Policy and Credit Reporting Statement and Policy

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### Who are we?

'We', 'us' and 'our' refer to **EMCE Partners Pty Ltd ACN 603 025 225**, Australian Credit Licence **474255** and our related businesses.

### Our commitment to protect your privacy

We understand how important it is to protect your personal information. This document sets out our commitment in respect of the personal information (including credit-related information) we hold about you and what we do with that information.

We recognise that any personal information we collect about you will only be used for the purposes we have collected it for or as allowed under the law. It is important to us that you are confident that any personal information we hold about you will be treated in a way which ensures protection of your personal information.

Our commitment in respect of personal information is to abide by the Australian Privacy Principles (APPs) and Part IIIA of the Privacy Act, the Privacy (Credit Reporting) Code 2014 and any other relevant law.

#### Personal information

When we refer to **personal information** we mean information from which your identity is reasonably apparent. This information may include information or an opinion about you. The personal information we hold about you may also include credit-related information.

**Credit-related information** means:

**Credit information**, which is information which includes your identity; the type, terms and maximum amount of credit provided to you, including when that credit was provided and when it was repaid; repayment history information, default information (including overdue payments); payment information; new arrangement information; details of any serious credit infringements; court proceedings information; personal insolvency information and publicly available information; and

**Credit eligibility information**, which is credit reporting information supplied to us by a credit reporting body, and any information that we derive from it.

We use your credit-related information to assess your eligibility to be provided with finance. Usually, credit-related information is exchanged between credit and finance providers and credit reporting bodies.

The kinds of personal information we may collect about you include your name, date of birth, address, account details, occupation, and any other information we made need to identify you.

When you use our website or mobile applications we may collect information about your location or activity including IP address, telephone number and whether you have accessed third party sites, the date and time of visits, the pages that are viewed, information about the device used and other user location information. We collect some of this information using cookies (for more information please see the Website Privacy Policy at [www.emce.com.au](http://www.emce.com.au))

If you are applying for finance we may also collect the ages and number of your dependants and cohabitants, the length of time at your current address, your employment details and proof of earnings and expenses. If you apply for any insurance product through us we may also collect your health information. We will only collect health information from you with your consent.

### **Why we collect your personal information**

We collect personal information for the purposes of assessing your application for finance and managing that finance as well as providing our brokering services. We may also collect your personal information for the purposes of direct marketing and managing our relationship with you. From time to time we may offer you other products and services.

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

Where reasonable and practical we will collect your personal information directly from you. We may also collect your personal information from credit reporting bodies and from finance brokers and other people such as accountants and lawyers.

### **Do we disclose your personal information?**

We may disclose your personal information:

- to prospective funders or other intermediaries in relation to your finance requirements;
- to other organisations that are involved in managing or administering your finance such as third party suppliers, printing and postal services, call centres, lenders mortgage insurers, trade insurers and credit reporting bodies;
- to associated businesses that may want to market products to you;
- to companies that provide information and infrastructure systems to us;
- to anybody who represents you, such as finance brokers, lawyers, and accountants;
- to anyone, where you have provided us consent;
- where we are authorised to do so by law, such as under the Anti-Money or Laundering and Counter Terrorism Financing Act 2006 (Cth); or
- to investors, agents or advisers, or any entity that has an interest in your finance or our business;
- organisations that provide products or services used or marketed by us; or
- to your employer, referees or identity verification services.

Prior to disclosing any of your personal information to another person or organisation, we will take all reasonable steps to satisfy ourselves that:

- (a) the person or organisation has a commitment to protecting your personal information at least equal to our commitment, or
- (b) you have consented to us making the disclosure.

## 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:

- Philippines
- India
- USA

## Credit-related information

We exchange credit-related information for the purposes of assessing your application for finance and managing that finance.

This credit-related information may be held by us in electronic form on our secure servers and may also be held in paper form. We may use cloud storage to store the credit-related information we hold about you.

When we obtain credit eligibility information from a credit reporting body about you, we may also seek publicly available information and information about any serious credit infringement that you may have committed.

We may disclose your credit-related information to overseas entities that provide support functions to us. You may obtain more information about these entities by contacting us.

## Notifiable matters

The law requires us to advise you of 'notifiable matters' in relation to how we may use your credit-related information. You may request to have these notifiable matters (and this policy) provided to you in an alternative form.

We exchange your credit-related information with credit reporting bodies. We use the credit-related information that we exchange with the credit reporting body to assess your

creditworthiness, assess your application for finance and managing your finance.

If you fail to meet your payment obligations in relation to any finance that we have provided or arranged or you have committed a serious credit infringement then we may disclose this information to a credit reporting body.

You have the right to request access to the credit-related information that we hold about you and make a request for us to correct that credit-related information if needed. Please see the heading Access and correction to your personal and credit-related information, below.

Sometimes your credit information will be used by credit reporting bodies for the purposes of 'pre-screening' credit offers on the request of other credit providers. You can contact the credit reporting body at any time to request that your credit information is not used in this way.

You may contact the credit reporting body to advise them that you believe that you may have been a victim of fraud. For a period of 21 days after the credit reporting body receives your notification the credit reporting body must not use or disclose that credit information. You can contact any of the following credit reporting bodies for more information:

- Equifax Pty Ltd – [www.Equifax.com.au](http://www.Equifax.com.au),
- Dun and Bradstreet (Australia) Pty Ltd – [www.dnb.com.au](http://www.dnb.com.au), or
- Experian Australian Credit Services Pty Ltd – [www.experian.com.au](http://www.experian.com.au).

## Direct marketing

From time to time we may use your personal information to provide you with current information about finance, offers you may find of interest, changes to our organisation, or new products or services being offered by us or any company with whom we are associated.

If you do not wish to receive marketing information, you may at any time decline to receive such information by telephoning us on **02 9529 2611** or by writing to us at:

**Chris Charalambous**

**PO BOX 293, Sans Souci NSW 2219**

If the direct marketing is by email you may also use the unsubscribe function. We will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

### **Updating your personal information**

It is important to us that the personal information we hold about you is accurate and up to date. During the course of our relationship with you we may ask you to inform us if any of your personal information has changed.

If you wish to make any changes to your personal information, you may contact us. We will generally rely on you to ensure the information we hold about you is accurate or complete.

### **Access and correction to your personal and credit information**

We will provide you with access to the personal and credit-related information we hold about you. You may request access to any of the personal information we hold about you at any time. We may charge a fee for our costs of retrieving and supplying the information to you.

Depending on the type of request that you make we may respond to your request immediately, otherwise we usually respond to you within seven days of receiving your request. We may need to contact other entities to properly investigate your request.

There may be situations where we are not required to provide you with access to your personal or credit-related information, for example, if the information relates to existing or anticipated legal proceedings, or if your request is vexatious.

An explanation will be provided to you, if we deny you access to the personal or credit-related information we hold about you.

If any of the personal or credit-related information we hold about you is incorrect, inaccurate or out of date you may request that we correct the information by telephoning us on **02 9529 2611** or by writing to us at: **Chris Charalambous, PO BOX 293, Sans Souci NSW 2219**

If appropriate we will correct the personal information at the time of the request, otherwise, we will provide an initial response to you within seven days of receiving your request. Where reasonable, and after our investigation, we will provide you with details about whether we have corrected the personal or credit-related information within 30 days.

We may need to consult with other finance providers or credit reporting bodies or entities as part of our investigation.

If we refuse to correct personal or credit-related information we will provide you with our reasons for not correcting the information.

### **Using government identifiers**

If we collect government identifiers, such as your tax file number, we do not use or disclose this information other than authorised by law. We will never use a government identifier in order to identify you.

## Business without identifying you

In most circumstances it will be necessary for us to identify you in order to successfully do business with you, however, where it is lawful and practicable to do so, we will offer you the opportunity of doing business with us without providing us with personal information, for example, if you make general inquiries about interest rates or current promotional offers.

## Sensitive information

We will only collect sensitive information about you with your consent. Sensitive information is personal information that includes information relating to your racial or ethnic origin, political persuasion, memberships in trade or professional associations or trade unions, sexual preferences, criminal record, or health.

## How safe and secure is your personal information that we hold?

We will take a range of measures and reasonable steps to protect your personal information. Your personal information will always be stored in a secure environment. We may store your personal information in paper and electronic form. We will also take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

## Complaints

If you are dissatisfied with how we have dealt with your personal information, or you have a complaint about our compliance with the Privacy Act and the Credit Reporting Code, you may contact our complaints officer on

**02 9529 2611**

We will acknowledge your complaint within seven days. We will provide you with a decision on your complaint within 30 days.

If you are dissatisfied with the response of our complaints officer you may make a complaint to our External Dispute Resolution Scheme, Australian Financial Complaints Authority (AFCA) which can be contacted on **1800 931 678** or the Privacy Commissioner which can be contacted on either [www.oaic.gov.au](http://www.oaic.gov.au) or 1300 363 992.

## Further information

You may request further information about the way we manage your personal or credit-related information by contacting us.

## Change in our privacy and credit reporting policy

We are constantly reviewing all of our policies and attempt to keep up to date with market expectations. Technology is constantly changing, as is the law and market place practices.

As a consequence, we may change this policy from time to time or as the need arises. We will post any changes to this policy on our website.

You may request this policy in an alternative form by telephoning us on **02 9529 2611** or by writing to us at: **Chris Charalambous PO BOX 293, Sans Souci NSW 2219**

This privacy and credit reporting policy came into existence on **20<sup>th</sup> August 2019**