

# Legrand Australia Credit Reporting Policy

This Credit Reporting Policy applies specifically to credit related personal information which is credit information, credit eligibility information or credit reporting body derived information about an individual (“credit related information”) and sets out how Legrand Australia Pty Ltd and its related Australian entities (Legrand Australia) manages that information. Legrand Australia is bound by the *Privacy Act 1988* (Cth) (“the Act”), and the Credit Reporting Privacy Code (“the Code”) to the extent applicable in relation to that credit related information.

This Credit Reporting Policy applies in addition to our Privacy Policy which applies to other personal information. A copy of our Privacy Policy can be obtained on our website at [www.legrand.com.au](http://www.legrand.com.au).

## Your acceptance of this Credit Reporting Policy

By completing a trade credit agreement or entering into contracts with us or otherwise providing us with your credit related information, you agree to the terms of this Credit Reporting Policy. Depending on the manner in which you communicate with Legrand Australia, further credit related information may apply in addition to the matters discussed in this Credit Reporting Policy.

From time to time Legrand Australia may update this Credit Reporting Policy. When changes are made, we will revise the date of last update listed at the end of this Policy. We encourage you to check our website regularly for any updates to our Credit Reporting Policy.

## What kinds of credit related information do we collect and hold?

Legrand Australia collects and holds various kinds of credit related information including: identification information (including an individual’s name, age, address); statements that information requests have been made by credit providers, mortgage insurers or trade insurers; default information; court proceedings information; personal insolvency information; publicly available information that relates to an individuals’ activities in Australia or the external Territories and their credit worthiness; opinions of other credit providers; opinions of credit reporting bodies including credit ratings, scores and evaluations about credit worthiness; individuals’ credit application history; and any other information relevant to the purposes for which we collect credit related information.

## How do we collect and hold your credit related information?

Legrand Australia will collect your credit related information primarily from you or from someone representing or assisting you or from publically available sources. However, where it is unreasonable or impracticable to collect it directly from you, we will collect information about you from third parties. Third parties we may collect your credit related information from include our agents, credit reporting bodies and any other person we consider necessary to carry out our functions.

Legrand Australia maintains appropriate security, data collection, storage and processing practices to ensure such steps as are reasonable in the circumstances are taken to protect your credit related information from misuse, interference, loss, unauthorised access, modification, or disclosure. Where this information is no longer required, Legrand Australia will take reasonable steps to destroy or de-identify the information.

## **Why do we collect, hold, use and disclose your credit related information?**

Legrand Australia collects, holds, uses and discloses credit related information as reasonably necessary for our business purposes and as permitted by law. These purposes are varied and may include: assessing whether to provide you or your business with credit or to accept you as a guarantor; making credit worthiness evaluations to be used in Legrand Australia's decision making processes; managing credit provided by Legrand Australia; participating in the credit reporting system and providing information to credit reporting bodies as allowed by Part IIIA of the Act and the Code; assisting other credit providers. undertaking debt recovery and enforcement activities; dealing with complaints, dispute resolution and complying with legal and regulatory requirements including the *Personal Property Securities Act 2009* (Cth), the *Corporations Act 2001* (Cth) the *Taxation Administration Act 1953* (Cth), the *Income Tax Assessment Act 1936* (Cth) and other taxation laws.

**Overseas disclosures:** Some of the parties that we disclose credit related information to may be located outside of Australia (including in New Zealand, France and other countries in the EU, USA) and may not be subject to privacy obligations under the Privacy Act or the Code. When Legrand Australia discloses credit related information outside of Australia we will comply with this policy and the requirements of the Act and the Code.

If credit related information is not collected by us it may prevent us from engaging in certain activities with you and your business include entering into deferred payment arrangements, trade credit agreements, or other our business related activities where we consider obtaining that information is necessary.

## **How do we use and disclose your credit related information?**

### **Disclosure of credit related information to credit reporting bodies**

Legrand Australia may disclose credit related information to credit reporting bodies where the Act and Code permits us to do so. For example, we may disclose credit related information when seeking credit reports from credit reporting bodies; or if you or your business fail to meet payment obligations in relation to commercial credit provided by us we may be entitled to disclose credit related information to a credit reporting body. In addition, a credit reporting body may include the information in reports provided to other credit providers to assist them to assess the individual's credit worthiness.

We are likely to disclose credit related information we collect to the following credit reporting bodies:

1. CreditorWatch
  - <https://www.creditorwatch.com.au>
  - Phone: 1300 50 13 12
2. Dun & Bradstreet
  - Website: <http://www.checkyourcredit.com.au>
  - Phone: 13 23 33

### **Some of your rights in relation to credit reporting bodies**

A credit reporting body may use your credit related information to assist a credit provider to market to you by pre-screening you for direct marketing by the credit provider. If you do not want a credit reporting body to use your credit related information for the purpose of pre-screening, you have the right under the Act to contact them and request that they exclude you.

If you reasonably believe you have been or are likely to be a victim of fraud, you may contact a credit reporting body to request that they not use or disclose your credit related information. The credit reporting body will explain to you in detail the effects of this.

## **Disclosure of credit related information to other recipients**

We may, as permitted by law, disclose your credit related information to third parties including our related companies, agents or other third parties for the internal management purposes that are directly related to the provision or management of credit we provide. Some of these third parties may not be located in Australia and may not have an Australian link. The countries in which these recipients may be located will vary from time to time, but may include New Zealand, France and other European countries, the United States of America, and any other countries where Legrand Australia or its related entities have a presence or engages third parties. We may disclose credit related information to a debt collection agency, or where you have expressly consented to that disclosure to another credit provider or guarantor, or as otherwise allowed by the Act.

## **How can you access or correct your credit related information?**

### **Accessing your credit related information**

To access the credit related information we hold about you, please send a written request to the Privacy Officer. Legrand Australia will try to grant you access to the credit related information within 30 days of a request but in some circumstances it may take longer. There is no charge associated with making an access request but an administration charge may apply for providing access in accordance with your request.

Under the Act we may refuse to give access to the credit related information where for example giving access would disclose commercially sensitive information or information relating to existing or anticipated legal proceedings. If we refuse to provide you with access to credit related information held about you by us, then we will provide written reasons for the refusal and advise you of available avenues of redress.

### **Correcting your credit related information**

If you believe that any credit related information held by us about you is inaccurate, out of date, incomplete, irrelevant or misleading, please request its correction free of charge by contacting our Privacy Officer. Legrand Australia will try to resolve correction requests within 30 days of your making a request but in some circumstances it may take longer. If we need more time to resolve your request we will notify you as to the delay, the reasons for it and seek your written agreement to a longer period.

If your request for correction is successful, we will provide written notice of the correction to you, and where practicable and not prohibited by law, to certain other people we provided the pre-correction information (other than identification information) to such as relevant credit reporting bodies and to any other third party as required under the Act. If we refuse your request for correction, we will provide written reasons for the refusal and advise you of available avenues of redress.

You have the right under the Act and the Code to obtain your credit information from a credit reporting body free of charge if the access request relates to a decision to correct information about you. That right may be exercised by contacting the relevant credit reporting body.

## **How can you complain about a breach of the Act?**

If you believe an act or practice Legrand Australia has engaged in has breached the Act or the Code, you can lodge a complaint free of charge by contacting our Privacy Officer. We will endeavour to contact you to confirm receipt within 7 days of us having received your complaint. Legrand Australia will try to resolve the complaint within 30 days of receiving the complaint. If we need more time to resolve your request we will notify you as to the delay, the reasons for it and seek your written agreement to a longer period. Depending on the nature of the complaint, it may be necessary for us to consult with third parties, including credit reporting bodies or other credit providers, in order to investigate and resolve your complaint.

If you are unhappy with our resolution of your complaint or with the way Legrand Australia has handled your complaint, you may refer to the matter to the Office of the Australian Information Commissioner (“the Commissioner”) (see <http://www.oaic.gov.au> for further details).

**How do you contact us?**

If you have any questions about this Credit Reporting Policy or our handling of your information, please contact our Privacy Officer: [dpo@legrand.com.au](mailto:dpo@legrand.com.au)

This Credit Reporting Policy was last updated March 2018.