

PRIVACY STATEMENT

1 Rights in relation to privacy

Caterpillar Financial Australia Limited, Caterpillar Financial Australia Leasing Pty Limited and their associated entities (together “**CFAL**”) understand the importance of protecting the privacy of an individual’s personal information. This statement sets out how CFAL aims to protect the privacy of personal information, including commercial credit-related personal information, rights in relation to personal information managed by CFAL and the way CFAL collects, holds, uses and discloses personal information (including commercial credit-related personal information).

In handling personal information, CFAL will comply with the *Privacy Act 1988* (Cth) (**Privacy Act**) and with the 13 Australian Privacy Principles in the Privacy Act.

In addition to general personal information, CFAL collects commercial credit-related personal information, however, it does not collect consumer credit-related personal information and, as such, CFAL does not participate in the credit reporting system within Australia.

This privacy statement may be updated from time to time.

2 What kinds of personal information does CFAL collect?

Personal information is information or an opinion about an identified, or reasonably identifiable, individual. During the provision of its services, CFAL may collect personal information.

Generally, the kinds of personal information (including commercial credit-related personal information) CFAL collects are:

- contact and identification information such as an individual’s name, address, telephone number, drivers licence number, tax file number and email address;
- financial information about assets, occupation and income, time in business, account balances, payment history, payment of rates notices and transactions with CFAL or a third party;
- commercial credit-related personal information where relevant to CFAL’s assessment of an application for commercial finance with CFAL. The commercial credit-related personal information that CFAL may collect, hold, use and disclose includes:
 - identification information;
 - information about the types of commercial credit being sought from CFAL;
 - existing or previous commercial credit accounts;
 - other credit providers having accessed, or having made a request for, information in connection with an application for commercial credit;
 - commercial activities or credit worthiness;
 - repayment of commercial credit obligations as a guarantor of commercial credit;
 - payments no longer being overdue or about arrangements regarding commercial credit having been varied or terminated;
 - pay-out amounts in relation to any equipment CFAL has provided financing for;
 - personal insolvency events or court proceedings;
 - commercial credit-related personal information from a credit reporting body, including credit scores, assessment or records;
 - default information regarding commercial credit;

- information derived by CFAL from anything above, including internally generated scores, ratings or other assessments;
 - commercial credit reports;
 - that another credit provider has sought commercial credit-related personal information about an individual from a credit reporting body;
 - information about court proceedings related to commercial credit provided to an individual;
 - publicly available information relating to commercial credit worthiness; and
 - a commercial credit provider's reasonable belief that an individual has committed a serious credit infringement;
- where an individual is applying for a position with CFAL, sensitive information (eg criminal record) which will only be collected with consent of the individual and information about an individual's education and work history, qualifications and skills, and the opinions of others about the work performance of the individual; and
 - other information required for CFAL's functions and activities;

(together "**Personal Information**").

In some circumstances CFAL may also hold other Personal Information provided to CFAL in connection with the provision of its products and services.

3 How does CFAL collect Personal Information?

CFAL may collect Personal Information:

- directly from an individual through the completion of online or hardcopy finance application form and other exchanges with CFAL whether in person or via email, fax, telephone (including text messages) or post;
- from other sources including the applicant to an application for finance if that person is not the same as the individual, the applicant's legal or financial advisers, CFAL's dealers or brokers, information services providers, a publicly maintained record, related corporate entities of CFAL or professional advisors, business partners, associates and family members of individuals, credit reporting bodies, any other guarantor or prospective guarantor in connection with an application for finance, any person who has provided, provides or is considering providing commercial credit to the individual, or who has taken or may take any form of security from the individual with regard to commercial credit, or any holder or valuer of an asset referred to in a finance application.

Generally, CFAL will only collect Personal Information from sources other than the individual if it is unreasonable or impracticable to collect the Personal Information from the individual directly or if CFAL obtains consent from the individual to CFAL collecting Personal Information from a source other than the individual.

4 Why does CFAL need Personal Information?

CFAL collects, holds, uses and discloses Personal Information where it is reasonably necessary for the purposes of:

- providing commercial financing for the lease, hire or acquisition of CFAL equipment to a commercial entity (which may include the collection, handling, use and disclosure of Personal Information of an employee of the commercial entity or the Personal Information of an individual otherwise connected with the commercial entity);
- managing and administering financing arrangements, including responding to any queries or complaints and assessing applications for finance;
- collecting or seeking to collect payments that are overdue in relation to commercial credit in respect of which an individual is a guarantor;
- assisting other credit providers in assessing commercial credit worthiness;
- identifying and addressing any unlawful activities, including fraudulent conduct;

- providing customers with information about products or services from CFAL or selected third parties that may be of benefit or interest to customers;
- researching or developing CFAL's products and services, and maintaining and developing CFAL's business systems and infrastructure;
- identifying, developing and facilitating business opportunities and relationships;
- accounting, billing and other internal administrative purposes; and
- any other legal requirements including undertaking identification and verification activities in accordance with anti-money laundering and counter-terrorism finance laws or any other applicable laws including privacy laws.

Where Personal Information is used or disclosed, CFAL takes steps reasonable in the circumstances to ensure it is relevant to the purpose for which it is to be used or disclosed. Where CFAL requests Personal Information from an individual, there is no obligation on that individual to provide the Personal Information to CFAL. However, without certain information, CFAL may not be able to provide its products and/or services.

5 To whom does CFAL disclose Personal Information?

CFAL discloses Personal Information for the purpose for which CFAL collects it, that is, a purpose set out at paragraph 4. This may include disclosing Personal Information to:

- agents, consultants, auditors, contractors or other third parties engaged by CFAL to perform administrative or other business management services;
- professional advisors including legal, financial, accounting, insurance and other advisors;
- credit-reporting bodies, credit providers and debt collection agencies but only where necessary in connection with a commercial credit arrangement;
- other guarantors or prospective guarantors of any commercial credit application provided by CFAL in connection with a finance application;
- CFAL's related companies (whether in Australia or overseas);
- CFAL's equipment dealers or brokers;
- organisations involved, or interested, in a transfer or sale of all or part of CFAL's assets or business (including accounts and trade receivables);
- authorised representatives, legal advisers or accountants of an individual or entity with which an individual is connected;
- any organisations that are engaged to verify the identity of an individual;
- enforcement bodies for the purpose of identifying and addressing any fraudulent or other criminal conduct; and
- government and regulatory authorities and other organisations, as required or authorised by law.

Such disclosures are always on a confidential basis or otherwise in accordance with law. CFAL may also disclose Personal Information with the individual's consent or if disclosure is required or authorised by law.

6 Overseas disclosure

CFAL may disclose Personal Information to overseas recipients in order to provide its services and/or products and for administrative or other business management purposes. It is not practicable to list every country in which recipients may be located, however it will include CFAL's related companies, located in North America, Latin America, Europe and the Asia Pacific and otherwise listed on CFAL's website.

Before disclosing any Personal Information to an overseas recipient, CFAL takes steps reasonable in the circumstances to ensure the overseas recipient complies with the Australian Privacy Principles or is bound by a

substantially similar privacy scheme unless CFAL obtains consent for the overseas disclosure or it is otherwise required or permitted by law.

7 Direct marketing

CFAL may collect, hold, use and disclose Personal Information (with the exception of commercial credit-related Personal Information) in order to inform interested persons or entities of products and services offered by CFAL or to facilitate business relationships. Individuals can opt-out of receiving such communications by contacting CFAL on the contact details set out in paragraph 10 or through any opt-out mechanism contained in a marketing communication.

8 Security of Personal Information

CFAL takes steps reasonable in the circumstances to ensure that the Personal Information it holds is protected from misuse, interference and loss and from unauthorised access, modification or disclosure. CFAL holds Personal Information in both hard copy and electronic forms in secure databases on secure premises, accessible only by authorised staff.

CFAL will destroy or de-identify Personal Information in circumstances where it is no longer required, unless CFAL is otherwise required or authorised by law to retain the information.

9 Can an individual access and correct the Personal Information that CFAL holds about them?

CFAL takes steps reasonable in the circumstances to ensure Personal Information it holds is accurate, up-to-date, complete, relevant and not misleading. Individuals can access and seek correction of Personal Information that is collected and held by CFAL, or otherwise request more information on CFAL's approach to privacy, by contacting CFAL via the contact details set out in paragraph 10 below. CFAL will grant access to the extent required or authorised by the Privacy Act or other law and take steps reasonable in the circumstances to correct Personal Information where necessary and appropriate. To provide access to Personal Information, CFAL:

- requests proof of identity to ensure that Personal Information is provided only to the correct individuals and that the privacy of others is protected;
- requests reasonably specific details about the information required; and
- may charge a reasonable administration fee, which reflects the cost to CFAL, for providing access in accordance with a request.

If CFAL refuses a request for access to, or correction of, Personal Information, CFAL will provide written reasons for the refusal and details of complaint mechanisms. CFAL will also take steps reasonable in the circumstance to provide access in a manner that meets the needs of the individual and the needs of CFAL.

CFAL will endeavour to respond to a request for access to, or correction of, Personal Information within 30 days from the request.

10 How to contact us

For further information or enquiries regarding CFAL's handling of Personal Information, or to opt-out of receiving any promotional communications, CFAL's Privacy Officer - Customer Service can be contacted at: Caterpillar Financial Australia Limited / Caterpillar Financial Australia Leasing Pty Limited, 1 Caterpillar Drive, Tullamarine, Victoria 3000, Tel: +61 3 9953 9419pri, Fax: +61 3 9338 8415, Email: CFAL.PrivacyOfficer@cat.com.

11 Privacy complaints

Privacy complaints should be directed to CFAL's Privacy Officer - Customer Service. At all times, privacy complaints:

- will be treated seriously;
- will be dealt with promptly;
- will be dealt with in a confidential manner; and
- will not affect any existing obligations to, or commercial arrangements with, CFAL.

CFAL's Privacy Officer - Customer Service will commence an investigation into a complaint and inform the complainant of the outcome. In the event a complainant is dissatisfied with the outcome, the complaint can be referred to the Office of the Australian Information Commissioner.