

# Privacy Policy

## BGC's commitment to our clients

Our management and staff are aware of the importance of protecting the privacy of individuals who come in contact with us.

We are committed to ensuring the privacy of the Personal Information we collect in the course of our business. We believe that respect for your privacy forms part of the ongoing trust we wish to develop with you.

We are bound by the [Privacy Act 1988 \(Cwth\)](#), including the [Australian Privacy Principles](#) contained in that Act. The [Australian Privacy Principles](#) set out the way in which organisations can collect, use, keep secure and disclose Personal Information. It also gives individuals the right to know what information an organisation holds about them and the right to correct that information if it is wrong. Further information on the Australian Privacy law is available from the Office of the Australian Information Commissioner (<https://www.oaic.gov.au>).

The purpose of this Privacy Policy is to tell you what kinds of Personal Information we may collect or hold about you (and how we collect that information), how we may use and hold that information, whether we disclose it to anyone (including anyone outside Australia), the choices you have regarding our use of that information, your ability to access or correct that information and how you may make complaints about any breach by us of the [Australian Privacy Principles](#) and how we will deal with those complaints.

This Privacy Policy also includes our credit reporting policy, that sets out our commitments to protect the personal information of our customers that we may provide credit to or consider providing credit to. The additional Personal Information that we collect in connection with a credit application or a credit facility is referred to as credit information.

## Members of the BGC group of companies

The BGC group of companies (referred to as BGC, we, us or our) is a leading privately owned Western Australian Group of Companies with interests in residential and commercial construction, manufacturing, and property investment. BGC includes BGC (Australia) Pty Ltd, Esther Investment Proprietary Limited and all of their subsidiaries including:

- 480 Hay Street Pty Ltd
- 60 Flourish Loop Pty Ltd
- A.C.N. 611 036 689 Pty Ltd
- Affordable Finance Pty Ltd
- Automated Surveys Pty Ltd
- BAAC Pty Ltd
- BGC Construction Pty Ltd
- BGC Development Pty Ltd
- BGC Insurance (L) Ltd
- BGC POS Pty Ltd
- BGC Modular Pty Ltd
- BGC Residential Pty Ltd
- Buckeridge & Associates Pty Ltd t/a Apartments WA
- Buckeridge Nominees Pty Ltd t/a BGC Windows
- Buckeridge Nominees Pty Ltd t/a BGC Windows and t/a Affinity Windows
- Buckeridge Properties Pty Ltd
- Buxton Holdings Pty Ltd
- Caprice Bay Pty Ltd t/a Now Living Realty
- Daghish Holdings Pty Ltd t/as Simply Settlements
- Harrisdale Pty Ltd t/as The Loan Company
- J-Corp Pty Ltd
- Kimpura Pty Ltd
- Midland Brick Pty Ltd
- Leon Enterprises Pty Ltd t/a Envirotechnics
- Lisson Nominees Pty Ltd t/a BGC Builders Supplies
- Richard Buckeridge Investments Pty Ltd
- Statesman Homes Pty Ltd
- Westswan Nominees Pty Ltd t/a Floortech
- Ventura Home Group Pty Ltd
- VHG Finance Pty Ltd t/a V Homeloans
- VHG Realty Pty Ltd t/a Link Residential Group

## Personal Information

'Personal Information' is information or an opinion about an individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether or not it is recorded in material form.

## What kinds of Personal Information does BGC collect and hold?

The Personal Information we may collect and hold varies and is dependent on the product requested or the service to be provided or the other circumstances in which we deal with you. Details can include but are not limited to:

- name;
- date of birth;
- gender;
- current and previous address (including postal address);
- contact details including telephone numbers;
- email address;
- occupation;
- bank account details;
- taxation, banking and superannuation information in relation to employees;
- bank statements and statements for electricity and gas accounts;
- credit references;
- drivers licence details;
- geographical location;
- passport and visa details;
- images of you from surveillance camera footage;
- property ownership;
- financial information including assets and liabilities, investment and loan accounts, insurance application details and consumer spending, foreign exchange transaction details;
- credit information, including information regarding insolvency related court proceedings relating to you, credit scores, credit evaluations and other information related to your credit-worthiness which is derived by BGC from any other information collected by us;
- provided that we obtain, where relevant, any necessary consent, consumer and commercial credit reports, including reports obtained from credit reporting bodies (**CRBs**) and reports relating to credit payment and default information, including credit accounts held, and your repayment history, with other credit providers;
- rental references and prior rental contacts;
- if you apply for employment with us, details regarding your employer, employment history, education qualifications and similar information;
- information about any credit account that you hold with us, including how long that account has been held, credit limits and payment and default information; and
- consumption habits and preference information.

The above information is collected and recorded about individuals who interact with us such as:

- our customers, potential customers and their representatives;
- our suppliers and their representatives;
- contractors and their representatives providing goods and services to us;
- our employees past and present;
- applicants for employment with us; and
- any other person who comes into contact with BGC.

In most cases, if we do not collect Personal Information from you, then we may be unable to undertake certain activities, such as providing you with the requested information, goods and/or services, including credit facilities, or accepting a guarantee from you for any credit facilities we provide to a third party.

The [Privacy Act](#) does not apply to employee records where used in relation to acts or practices directly related to a current or former employment relationship. An employee record is a record of Personal Information related to a current or former employment relationship. Please contact the [Privacy Officer](#) for more details.

## How does BGC collect Personal Information?

Generally, we collect Personal Information directly from you, where reasonable and practical.

We may collect Personal Information directly from you when you:

- provide information to us in any way (including by completing a form (whether at our premises or on our website), disclosing information over the phone, providing us a business card or applying for employment with us);
- visit our website or premises from which we operate;
- acquire goods from us or use or apply for our services, including when you apply for credit from us or ask us to consider accepting a guarantee from you for credit that we might provide to a third party;

- provide goods or services to us;
- drive BGC Group vehicles;
- request information about us, our products or our services;
- provide feedback;
- enter a competition; or
- where we are required or authorised by law to do so.

We may collect Personal Information directly from you via our security or other cameras installed at our premises.

We may also collect Personal Information about you from other sources such as:

- your nominated representatives (such as a spouse, accountant, attorney, brokers and other professional advisors);
- if applicable, other credit applicants and from your guarantors or proposed guarantors;
- other credit providers and trade references;
- CRBs and mercantile reporting agencies;
- publicly available sources of information;
- related companies and businesses within BGC;
- referees, if you submit an employment application to us;
- lawyers, medical providers, investigators, insurers (including WorkCover in relation to insurance claims) or other third parties who provide services to us; or
- deriving this information from your dealings with BGC or other information collected by us.

We will only collect your Personal Information from third parties if it is unreasonable or impractical to collect the necessary information directly from you or if we are otherwise permitted by law to do so.

### **How does BGC handle sensitive information?**

The Privacy Act describes 'sensitive information' as including information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual orientation or criminal record which, in any case is also Personal Information, and health information about an individual.

Occasionally it may be reasonably necessary for us in connection with our functions or activities to collect sensitive information about you (such as health information, racial origins and criminal records). If you or third parties provide us with sensitive information, we will only use and disclose the information for the purpose for which it was provided or another directly related purpose, unless you agree otherwise, or where permitted or required by law.

We will only collect sensitive information with your consent or as otherwise permitted by the [Australian Privacy Principles](#).

### **Why does BGC collect, hold and use Personal Information?**

BGC is committed to providing quality customer service to our internal and external clients and to operate its businesses within statutory requirements and comply with its legal obligations.

We collect, hold and use your Personal Information in order to operate our businesses efficiently as well as to provide and market our products and services for the benefit of our customers. We will only use your Personal Information, including your credit information, in compliance with our obligations under the [Privacy Act](#) and the [Privacy \(Credit Reporting\) Code 2014](#).

We collect, hold and use your Personal Information:

- to identify and communicate with you;
- to enable us to provide requested goods and services to you or to other persons, including credit facilities;
- to assess any request you make for credit or proposal by you to provide a guarantee;
- to assess your ability to repay any credit, including a loan;
- to collect payments;
- to notify CRBs, other credit providers and trade referees of a default by you or of any other information that we are permitted by law to disclose to such persons;
- to place insurance policies;
- to process any job application submitted by you;
- to manage and maintain credit accounts;
- to help us to manage and enhance goods and services we provide to you;
- to help us to manage and enhance goods and services we purchase from our suppliers;
- notify and assess insurance claims, pay settlements and finalise claims, determine liability;

- to develop and tell you about goods and services that we consider may be of interest, unless you advise us not to do so;
- to protect you and us from fraud;
- for security purposes;
- for business support purposes including administration, maintenance, backup and audit;
- to exercise our rights and comply with our statutory and legal obligations;
- to produce marketing material and to allow us to provide advertising material to you regarding us, our clients and other business partners;
- to monitor activity on our website; and
- to respond to any queries or complaints you may have.

## When does BGC disclose your Personal Information?

We may disclose your Personal Information to our related entities, to third parties where it is necessary to enable us to provide a product or service or to other third parties (such as your referees in connection with a job application you have submitted). We may disclose your Personal Information to any such third parties for any of the purposes set out above.

We may disclose your Personal Information to:

- the members of the BGC group of companies, including any internal divisions of the individual members;
- your nominated representatives;
- CRBs, other credit providers and mercantile reporting agencies;
- trade referees listed in your credit application (or any credit application where you are listed as a guarantor);
- financial planners;
- trade suppliers;
- mercantile agents;
- banks, mortgage insurers, lenders, valuers, real estate agents (referees), insurers, brokers, settlement agents, auditors, business consultants and IT service providers;
- other companies or individuals who assist us in providing products and services to you;
- professional service providers and advisors who perform functions on our behalf or who provide services to us, such as lawyers, credit processors and debt collectors;
- medical providers including medical and rehabilitation practitioners for assessing insurance claims; and
- Government, regulatory authorities and other organisations as required or authorised by law (such as Centrelink and the Police).

To manage and provide cost effective services, we outsource various administrative functions to third parties that provide mailing services, invoice and statement printing services, archiving functions, marketing services, and other services and functions as deemed necessary by management from time to time. We may also disclose your Personal Information to our website host or software application providers in certain limited circumstances, for example when our website experiences a technical problem or to ensure that it operates in an effective and secure manner.

Organisations providing professional services to us are required to keep those dealings and Personal Information provided by us as confidential unless required to disclose such information by statute or law.

In general, we do not send your Personal Information to any overseas recipient. However, we, or one of our third-party providers may disclose your Personal Information to overseas recipients including insurers, IT service providers, auditors and medical providers if:

- our related entities are overseas;
- we outsource certain activities to an offshore entity; or
- transactions, services, or products have an overseas connection.

Some divisions of the BGC Group disclose personal and sensitive information to persons located in Singapore or the Philippines for one or more of these reasons.

We do not otherwise disclose your Personal Information, unless the disclosure is:

- in accordance with this Privacy Policy or any agreement you enter into with us;
- required or authorised by law, including without limitation the [Australian Privacy Principles](#) and, where applicable, the [Privacy \(Credit Reporting\) Code 2014](#); or
- made with your consent.

## COVID-19

BGC may collect information to manage risks and meet legal and operational requirements associated with the COVID-19 pandemic. Where this information includes information regarding health (such as COVID-19 vaccination information), it will be held securely in an unredacted form and will only be used or disclosed as necessary to manage risk, meet site entry requirements or demonstrate compliance with legal obligations.

## Marketing

You consent to us using your Personal Information (other than sensitive information) for sending you information, including promotional material, about us or our products and services, as well as the products and services of our related entities and third parties, now and in the future. You also consent to us sending you such information by means of mail, email, SMS and MMS messages. You can opt out of receiving direct marketing communications by using the opt out link or details provided in the direct marketing communication or you can contact us using the contact details specified in Enquiries if you do not want to receive marketing information from us.

We may use images from security cameras for marketing of our construction projects.

## How does BGC manage Personal Information security?

We take reasonable steps to protect the security of your Personal Information by ensuring it is protected from misuse, loss, interference and from unauthorised access, modification or disclosure.

Our personnel are required to respect the confidentiality of your Personal Information and the privacy of individuals. We maintain strict standards and security procedures to prevent unauthorised access to the Personal Information whether it is in an electronic or paper format, and to ensure the correct use of this information. Personal Information is stored in a central database that is password protected with access available only to authorised persons (such as BGC Employees or our *External Database Administrator*) or otherwise your Personal Information is securely held within BGC's offices and only available to authorised persons.

Where we no longer require your Personal Information, we will take reasonable steps to de-identify or destroy all record of the information held.

## You can access and update your Personal Information

You are generally entitled to access the Personal Information that we hold about you (in a manner you request, if this is reasonable and practicable) by contacting the BGC [Privacy Officer](#). We will respond to any request you make within a reasonable period of time.

If BGC cannot provide access to your information, it will provide you with the reasons why. Depending on the nature of the request, BGC may charge for providing access to this information, however such charge will not be excessive. If the information BGC holds about you is inaccurate, incomplete or not up to date you may request that BGC corrects the information by contacting the BGC [Privacy Officer](#). We will respond to any request you make within a reasonable period of time.

If you establish that the Personal Information we hold about you is not accurate, complete and up to date, we will take reasonable steps to correct the information so that it is accurate, complete and up to date. If we do not agree that the information requires correction or there are no reasonable steps we can take to correct the information, we will provide reasons for denial of correction.

It would assist us to ensure we properly understand your request, and allow us to respond more promptly, if requests are made in writing and include as much detail as possible.

## How BGC deals with complaints?

If you feel that we have not respected your privacy or that we have conducted ourselves inconsistently with this *Privacy Policy* or otherwise breached the Australian Privacy Principles or the Privacy (Credit Reporting) Code 2014, please contact our Privacy Officer and advise us as soon as possible. We will investigate your queries and complaints within a reasonable time frame depending on the complexity of the complaint.

It would assist us to respond to your complaint promptly if it is made in writing. Please detail information relevant to your complaint and to those parties involved in the alleged breach.

If you feel that we have not satisfactorily addressed your complaint, you may also make a complaint to the *Office of the Australian Information Commissioner* in the manner specified at [www.oaic.gov.au](http://www.oaic.gov.au).

## Relationship with CRBs

CRBs are able, under applicable privacy regulation, to handle personal information relating to credit. If BGC provides any of your personal information (including information as to whether you fail to make payments to us) to any CRB, that CRB may include that information in reports provided to other credit providers to assist such other credit providers to assess your credit-worthiness. Some of your credit information that we provide to a CRB or CRBs may reflect adversely on your credit-worthiness and this may negatively impact your ability to obtain credit from other credit providers.

BGC uses the credit reporting services provided by Equifax Australasia Credit Ratings Pty Ltd T/A Equifax Pty Ltd and Corporate Scorecard (together **Equifax**). Equifax may use the credit reporting information (as defined in the Privacy Act) it holds about you for "pre-screening" for direct marketing by certain third parties. You have the right to request Equifax not to use that credit reporting information for pre-screening purposes. You also have the right to request Equifax not to use or disclose that credit reporting information if you believe on reasonable grounds that you have been or are likely to be a victim of fraud.

Please refer to Equifax's credit reporting policy for details on its management of credit reporting information. A copy of that policy can be obtained at [www.mycreditfile.com.au](http://www.mycreditfile.com.au) or by contacting Equifax as follows:

Mailing Address: Equifax - Customer Resolutions  
PO Box 964  
North Sydney  
NSW 2059, Australia

Phone: 1300 762 207

## Updates to this Privacy Policy

We may update this *Privacy Policy* from time to time in response to changes to laws, regulations and technology. All the Personal Information we hold will be governed by our most recent *Privacy Policy* located at [www.bgc.com.au](http://www.bgc.com.au). Any changes to the *Privacy Policy* will be advised to you by updating this page on our website. We encourage you to check this page from time to time for any changes.

## Enquiries

If you have any concerns or queries about our *Privacy Policy*, or if you would like more information about privacy-related issues please contact our [Privacy Officer](#) at:

E-mail address: [privacy@bgc.com.au](mailto:privacy@bgc.com.au)

Mailing Address: The Privacy Officer  
BGC Privacy Services  
PO Box 7223,  
Cloisters Square  
WA 6850, Australia

Phone: +61 8 6220 4800

This policy was last updated in August 2022. If you have any general comments on this policy, please feel free to contact our [Privacy Officer](#).

*This Policy has been approved and authorised by Danny Cooper, Chief Executive Officer, effective as of August 2022.*