



**State Bank of India**

**Australia**

**Privacy Policy**

State Bank of India  
Australia Branch  
May 2021

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## Please note

Handling of personal information relating to employees is outside the scope of the *Privacy Act 1988* (Cth) if the handling of the information relates directly to a current or former employment relationship between an employee and the State Bank of India.

## About this Privacy Policy

This Privacy Policy sets out how the State Bank of India Australia ('we', 'our', or 'us') protects your privacy. We are bound by the Privacy Act 1988 (Cth) ('Privacy Act') and the Australian Privacy Principles (APPs).

This Privacy Policy provides you with information about your privacy rights and how we collect, hold, use and disclose personal information. It also includes:

- Our policy on the handling of credit reports and other credit information
- Key information about credit reporting matters.

In addition to the Privacy Act, individuals located in the European Union (EU) may also have rights under EU based rules known as the General Data Protection Regulation (GDPR). The GDPR has a harmonised data privacy laws of each individual EU country, giving more rights to individuals located in the EU and more obligations to organisations holding their personal information. Details of additional rights of individuals located in the EU are outlined in Appendix 2.

## Our commitment to privacy

As a Global banking and financial services organisation, the State Bank of India has a long history of handling personal information with transparency and openness.

Protecting the privacy and confidentiality of your personal information is fundamental to the way we do business. Our systems are designed to protect your privacy whenever we collect, hold, use or disclose your personal information.

We encourage any person who has a comment, query or complaint about a privacy matter to get in touch with our CEO, Relations or Privacy Officer using the following details:

State Bank of India, Australia Branch  
Sydney Office:  
Level 31, 264 George Street  
Sydney NSW 2000  
Phone: (02) 9241 5643  
Fax: (02) 9241 0536  
Email: [info@sbisyd.com.au](mailto:info@sbisyd.com.au)

## Privacy laws

Our aim is to comply with all applicable privacy laws, including the requirements of the Australian Privacy Principles (APPs) set out under the *Privacy Act 1988* (Cth) including in the unlikely event of a data breach, due to control failures or due to the actions or inactions of individuals in our employ, through agreement or through third-party contractor arrangements, we will notify you in accordance with the Notifiable Data Breaches (NDB)

scheme under Part IIIC of the Privacy Act 1988. We will also take any actions possible to work with relevant authorities in:

- recovering any physical information that has been taken; or
- mitigating the risks associated with the breach, to the extent that the breach has exposed or revealed your private information.

## Collection and use

We generally only collect and use information necessary to provide our banking and financial products and services to you. We may also collect and use personal information for other reasons where the law allows or requires it.

Most commonly, we will collect and use your information to:

- confirm your identity
- consider your eligibility for products and services
- establish your tax status under any Australian or foreign law
- process your application and provide you with products and services
- contact you about a product or service being provided to you
- delivering our products and services
- customer relations including managing our relationship with you,
- responses to market research surveys, competition entries and product development
- assisting with your questions or complaints and/or comply with any legal or regulatory obligations
- perform necessary business functions (such as audits, record keeping, training, reporting, planning, and research)
- developing and testing our technology systems
- collecting overdue payments, or
- or any purpose where you have given consent.

We will tell you how we intend to use your personal information when we collect it. This information will usually be set out in documents provided to you, such as in our application form or our terms and conditions.

We will usually collect personal information directly from you. Most commonly, this will be when you contact us, open an account, fill in an application form, visit our web sites, use our mobile apps, or visit us in person.

If you do not provide us with the necessary personal information, we may not be able to provide you with our products and services.

The type of personal information we collect may include:

- information about your identity (including your name, date of birth, gender, marital status, driver's license number, passport details and address)

- contact details (including your phone number and email address)
- your tax file number or tax residency status, and
  
- financial details (including your annual income, transaction history, and credit history).

We may also be required by law to collect and use personal information. For example, we may be legally required to:

- verify your identity,
- credit information (see section headed credit information below for more details), or
- assess your capacity to repay a loan.

As you interact with us over time, we may collect and hold additional personal information (including but not limited to council rate notices, contracts of sale, etc), use of account, call, email or sms, our website or mobile app, or when we are managing a hardship application or dealing with a complaint or enquiry about your products or services.

We have obligations under the *Australian Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML Obligations) which require us to carry out client identification and verification procedures. This law requires us to collect and keep records which include your personal information and credit details for 7 years from the date of the last relevant service offered by us.

In some cases, you might need to give us personal information about other people – such as when you have an authorised representative. In those situations, we are relying on you to tell those people that you are giving us their details, and to let them know about this policy.

#### *Collecting information from third parties about you*

We may also collect personal information about you from a third party. We will take reasonable steps to let you know when we do this. For example, if you apply for a loan, we might need to ask a credit reporting body for your credit report or conduct a property valuation. We may also collect financial and transaction information from other financial institutions either directly or through you and/or a third-party service provider. We may use information we receive about you, to help us identify and tell you about products and services that may be of interest to you and for administrative purposes.

Our AML obligations permit the use and disclosure of certain personal information held by a credit reporting body (**CRB**) to us for the purpose of verifying your identity under the AML/CTF Act. Sometimes, we might collect information about you that's publicly available – for example, from things like social media, telephone directories or public registers, e.g. Australian Securities and Investments Commission (ASIC), Australian Business Register (ABR).

We must also fulfil our legal obligations to Australian and overseas enforcement bodies including Australian Transaction Reports and Analysis Centre (AUSTRAC).

From time to time, we may receive information about you which did not intentionally collect. If the information is not publicly available or on a Commonwealth record, we will:

- destroy or de-identify the information, and
- comply with any privacy obligations in treating the information.

### **Sensitive information**

'Sensitive information' is a type of personal information. Many different types of information can be classified as sensitive information. Among other things, sensitive information includes information or an opinion about a person's racial or ethnic origins, nationality, biometric data, (e.g. signature, call recordings), politics, religious beliefs or health information.

We do not generally collect sensitive information about you. We will only collect sensitive information with your express consent or if we are legally required to do so. Our AML obligations require us to collect 'sensitive information' in the *Privacy Act 1988* which may include information or an opinion about your political opinions or membership of a political association to determine if you are a politically exposed person (PEP).

### **Online data collection**

Not only do we use this information to improve and maintain our online channels but also to improve security, tailor our marketing advertising, tracking and analysing your session data. Until you log in, or contact us, any browsing you do on our site is completely anonymous.

Here is some of the general information we may collect when you visit any of our online channels or applications:

- the website that referred you to ours
- the browser, operating system or device type you are using
- IP address or device ID
- the date/time and duration of visit
- what you view, and any errors may encounter whilst on our site
- information from third party websites, applications or platforms containing interactive content or that interface with our website and applications, or
- how you navigate through the site and interact with pages (including fields completed in applications).

We use this information to:

- carry out your instructions
- administer and enhance the performance, content and services offered on our online channels
- improve the effectiveness of our marketing activities, including remarketing our offers on third party websites
- monitor web traffic
- secure your transactions with us, or
- remember your preferences and other purposes.

We may collect personal information about you from social media platforms but we will never ask you to supply personal information publicly over Facebook, Twitter or any other social media platform we use.

Sometimes we may invite you to send your details to us via private messaging for example to answer a question about your account. Unfinished applications If you start but do not finish an online application, we might use the details you have provided so far to get in touch with you or offer help finishing the application.

## **Cookies**

A 'cookie' is a small text file stored on your computer, mobile or other electronic device. As you browse a website, cookies gather and store some information about your use of the website.

We collect cookies on our website to improve the services we provide and enhance your experience when using the website. Cookies are useful because they allow our website to recognise your device and whether you have visited the website before.

The cookies we collect vary depending on which part of our website you visit and what you are trying to do. Some types of cookies are essential to how our website works and ensure you can access our website in your browser.

Most browsers are set up to accept cookies. You can adjust the settings on your browser to change this. The 'help' function on your browser will tell you how to change your settings. However, if you restrict cookies this may affect your experience when using our website.

Our website might also keep a record that you have visited the website by logging your IP address. An IP address is a numeric label specific to your device. Logging your IP address helps us collect useful information about the ways you use our website.

## **Sharing your personal information**

There are some situations in which we will share your information with another organisation or person, including when you have given consent or at your request. We only share information with third parties that we believe have the proper systems in place to look after your personal information.

## **Disclosure**

We may disclose your personal information to third parties in certain circumstances. These include when we:

- deal with third party contractors
- need to disclose personal information to an overseas third party
- share personal information within the State Bank of India, or are required to disclose personal information under an Australian law or an order of a court or tribunal.

## **Dealing with third party contractors**

We may need to disclose your personal information to a third-party contractor in order to provide our services to you. This is only done on the basis that the contractor will not use your personal information for other purposes.

Third parties may include:

- Verification services, including identity verification service providers
- organisations who do work for us (including marketing, mailing, and IT support work)
- General service providers:
  - security and information technology companies that provide or maintain the systems and services we use,
  - debt recovery agencies and debt purchasers.
- other banks or financial institutions
- auditors, insurers and re-insurers
- external advisers such as valuers, lawyers, or auditors
- organisations we use in funding arrangements (including agents, advisers and researchers)
- government bodies and law enforcement agencies, including external complaint resolution bodies, and
- Representatives and guarantors:
  - authorised representatives,
  - people acting on your behalf, such as brokers, advisers, parents, guardians, trustees or people holding power of attorney,
  - guarantors, including prospective guarantors.

### **Overseas third parties**

In some situations, we may need to disclose personal information to an overseas third party.

We will only disclose your personal information to an overseas third party if:

- the disclosure is necessary to undertake a transaction on your behalf, or
- we have your consent and are fully satisfied that the disclosure is in accordance with our privacy obligations at law.

For example, where an overseas transaction is being made, we may need to disclose your personal information to our legal advisers located outside of Australia.

The countries likely to which we receive and disclose information from include India, Singapore, United Kingdom, Hong Kong and the European Union. This list of countries may be updated from time to time.

We understand that overseas third parties may not be subject to the same privacy obligations as us. If we disclose personal information to an overseas third party, we make sure there are arrangements in place to protect your personal information.



## **Sharing information within the State Bank of India**

We may also disclose your personal information by sharing information with other branches of the State Bank of India located outside Australia. This may be necessary depending on the product or services which you have applied for. We will obtain your consent to share any personal information with other branches of the State Bank of India.

## **Tax file numbers and other government identifiers**

We may ask you for your tax file number (TFN) when dealing with you. We may collect your TFN when you open a deposit account and although it is not compulsory to provide it, if you choose not to, we may deduct withholding tax from your interest payments at the highest marginal rate. We may also ask you about your taxation residency status. If you are a tax resident of another country, we may need to collect your relevant foreign tax identification number.

In certain circumstances because of our AML obligations, you may not be able to provide a different government identifier, such as a pension number.

We will not use your any identifier as an account, policy or application number. We only use and disclose these identifiers as required or authorised by law. For example, we may be required to disclose your TFN to the Australian Taxation Office or AUSTRAC.

Sometimes, we may also be required to share some of your personal information with the Australian Taxation Office, who may exchange this information with tax authorities in other countries in accordance with intergovernmental agreements.

## **Consent**

We will seek your consent to collect, use or disclose personal information about you wherever possible.

Your consent can be express or implied, verbal or written. For example, our loan applications may expressly ask for your consent to a credit reference check.

You may be taken to give implied consent by your actions or inactions. For example, our telephone banking service notifies you that the call may be monitored or recorded for quality assurance purposes. If you choose to continue the call after hearing the notification, you have given us your implied consent to monitor or record the call.

## **Marketing and privacy**

We do not disclose names and addresses to third parties for marketing purposes. However, as providing the best service possible to our customers is fundamental to our business, we may use personal information to identify products and services that may benefit you. We may also contact you from time to time to tell you about new or existing products or services. These communications may be sent in various forms, including by letter, SMS, email, phone, social media, or other electronic means. We may market our products and services to you even after you leave us.

You can opt out at any time if you do not want to receive marketing information from us by using opt-out facilities provided in the marketing communications.

## Accuracy of personal information

Having accurate information about you allows us to provide you with the best possible service. We will take reasonable steps to ensure that your personal information is accurate, complete, up-to-date, relevant and not misleading.

Please contact us if you learn that current personal information we hold about you is incorrect, incomplete, out-of-date, irrelevant or misleading. We will promptly update our records.

If we disagree with a request you make to correct personal information, we will issue a written notice to you including the reasons for the refusal and available complaint mechanisms. You have the right to request that a statement is attached to the personal information setting out your view about why the information is inaccurate.

For requests to correct credit information we might need to consult a credit reporting body or another credit provider. If we find that there is a mistake regarding your credit information, we can help you to ask them to correct it. If we make the correction:

- your credit information, we'll tell any other people or organisations we had previously shared the information with (e.g. a credit reporting body);
- any other personal information, we will tell any other people or organisations we had previously shared the information with.

## Updating your information

We do our best to keep your personal and credit information accurate, and up to date. It is important we have your current home and email address and phone details, so if any of your details change – let us know by calling us on +61 02 92415643 or via email or by visiting our branches

## Access to personal information

You can find out what personal information we hold about you by making a request. Requests should be made to our Privacy Officer using the details set out on page 1 of this Privacy Policy. We will need to verify your identity before providing you any information.

In general, there are no fees to access or correct your information. But if you ask for access to a large amount of information, we might charge a reasonable administration fee to cover time spent locating the information and providing it to you. If that situation comes up, we will let you know about the fee before we get started on your request.

We will normally be able to deal with your request immediately. If the request is complex, we will ask you to complete a personal information request form. We can usually deal with even a complex request within 30 days.

We may not be able to tell you what personal information we hold about you in certain circumstances. This includes where:

- the privacy of other individuals, public health or public safety is threatened
- the request for access is frivolous or vexatious
- the information may be relevant to legal proceedings

- the information would reveal commercially sensitive information, or
- the law prevents us from disclosing the information.

If we are unable to tell you what personal information we hold about you, we will tell you why and try to find other ways to let you access your information.

## Storage

Whenever we store your personal information or credit information - we always take proper steps to safeguard and protect it, in accordance with Australian privacy law.

We may store your information in hard copy or electronic format. We may keep it on our premises or in storage facilities located in Australia, or that are rented and operated by our trusted service providers (including cloud providers that may be located outside of Australia).

Protecting your information is our priority. We use a combination of technical solutions, security controls and internal processes to help us protect your information and our network from unauthorised access and disclosure.

We train our staff on how to keep information safe and secure. If we do not need your information anymore, we'll de identify it or dispose it securely as soon as practical. However, some personal information may be retained for varying time periods to comply with legal and regulatory obligations and for other legitimate business reasons.

We do our best to keep you and your information safe and secure, but you should know that there is always a risk of that information being compromised, however small.

Always make sure to keep your personal and login details safe and educate yourself on the best ways to safeguard your information, e.g., protecting your banking details by not sharing your passwords and keeping up to date with any security material we provide to you. We will not ask for your personal or identity details via an email or SMS link. If you receive this type of request, contact us immediately.

Keeping your information safe is vital – which is why we get you to verify your identity before you can access or change the personal details, we have for you.

## Destruction of personal information

We will use all reasonable endeavors to destroy personal information if it is no longer needed for:

- the purposes for which we collected it, or
- meeting legal requirements.

We use secure methods to dispose of any hardcopy documents containing personal information. Information stored in electronic form is simply deleted from our systems.

## Complaints

You are entitled to complain if you believe that we have not handled your personal information the right way.

We will acknowledge receipt of a complaint as soon as possible and let you know who is responsible for managing your complaint. We will also try to complete the investigation within 30 days and inform you of the outcome.

If we are unable to resolve the dispute within 30 days, we will:

- tell you the reason or reasons for the delay
- give you monthly updates on the investigation
- work with you to try and agree on a reasonable alternative time frame, and
- tell you when it is expected that a decision will be reached.

If you are not satisfied with the outcome of the complaint, then you will be advised to approach AFCA as a free independent means of external dispute resolution or lodge a complaint with OAIC, whose contact details are as follows:

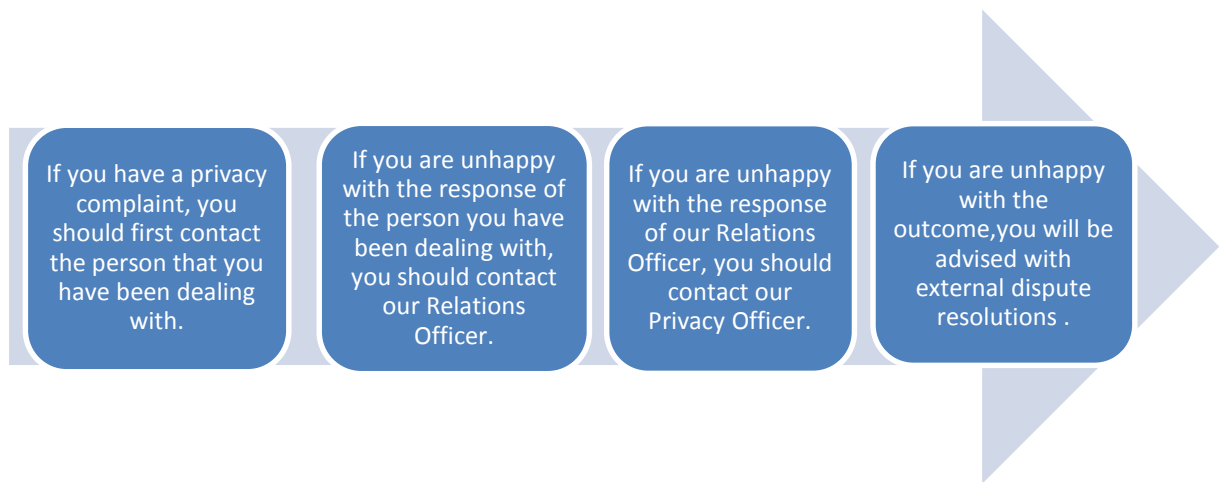
### **Australian Financial Complaints Authority Limited**

G P O Box 3  
Melbourne VIC 3001  
Tel: 1800 931 678  
Fax: (03) 9613 6399  
Internet: <http://www.afca.org.au/>  
Email: [info@afca.org.au](mailto:info@afca.org.au)

### **The Privacy Commissioner**

Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001  
Tel: 1300 363 992  
Internet: <http://oaic.gov.au>  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Our complaints process is as follows:



The CEO, Relations Officer or Privacy Officer can be contacted using the details set out on page 1 of this Privacy Policy.

### **Need more information?**

You should contact the person, department or branch that you normally deal with if you would like more information about this Privacy Policy. You will need to do this between 9.00am and 5.00pm (EST) and Monday to Friday.

## Appendix 1 – Credit Policy

When you make a credit application either as an individual on your own behalf or as a director or an agent acting on behalf of an applicant or provide documents as a guarantor, we will collect and store credit information, and that information could be shared or used in the future. Your certified identification documents are also reviewed as part of our AML Obligations (coming from the AML/CTF Act). Information required by us may include:

- certified proof of and verification of your identity
- occupation and business activities
- photo ID
- tax returns and tax assessment
- source of Funds
- beneficial owners
- type or the amount of existing credit you had or have
- how much is the borrowing and how we manage your credit obligation (which could include details of defaults and repayment history)
- if you have committed a fraud or other serious credit infringement
- details of credit-related court proceedings or insolvency, or

information about your credit worthiness that has been derived from the above for our own credit ratings, assessments and ongoing reviews. In addition to using personal information as mentioned above, your credit information could be used for a few different things, including:

- assessing your credit application or to accept you as a guarantor
- our internal operations, including risk management, securitisation, credit scoring and portfolio analysis
- determine whether you need assistance to meet your repayment obligations to help prevent defaults
- assist with financial hardship applications
- collecting overdue payments, or
- in circumstances where we reasonably believe that you have committed a serious credit infringement.

To determine your overall credit score and your ability to manage credit, we may exchange credit information and credit reports with credit reporting bodies, other financial institutions, our other agents or other State Bank of India branches.

If you fail to provide adequate information to verify the credit details we will not be able to assess your application.

The credit reporting agencies we or our agents or other State Bank of India branches may use to obtain your credit information are Equifax Pty Ltd, Illion Australia Pty Ltd, Dun & Bradstreet Pty Ltd and Experian Information Solutions Inc. You can download a copy of their privacy policies from their websites. They also have a legal responsibility and obligations under the Privacy Act and our Privacy Policy to keep your information secure.

We use information we obtain from credit reporting bodies, other financial institutions and/or third-party agents (Other Entities) to confirm your identity, assess credit

applications, manage our relationship with you, assess your skills to manage credit and collect overdue amounts.

We may also share your personal and credit information with Other Entities so they can provide credit reports to others and the Other Entities may include information in reports to assist other credit providers in assessing your credit worthiness.

In accordance with our AML/CTF Obligations and State Bank of India Record Management Policy we, our agents or other State Bank of India branches must retain your credit information for 7 years from the discharge of your credit facility and may retain records for other business reasons for up to 10 years or a reasonable such time.

#### Accessing or correcting your credit information

To see or correct your credit information go to the access, update, or correct your information section.

#### Resolving credit issues or complaints

If you are concerned about how your credit information has been handled, or if you have a complaint, check out the resolving your privacy issues or complaints section.

## Appendix 2 – General Data Protection Regulation

The European Union (EU) General Data Protection Regulation (GDPR) has protections and rights to individuals by harmonizing the data privacy laws of each individual EU country and created more obligations on organisations holding EU located individuals' data. In this Appendix 2 “personal information” means “personal data” in the GDPR.

If you are located in the EU, we are required to provide you with more information about how we collect, hold, use and disclose your personal information as well as being transparent and open about your rights as a “data subject”.

### **What personal information we collect**

Please refer to the main Privacy Policy for details of personal information we collect.

### **Special categories of personal information**

We only will process special categories of personal information about racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union data or biometric data such as fingerprints where you have consented or where we are required to disclose under law.

### **Keeping of your personal information**

We endeavor to keep your personal information for only as long as we need it. Where you cease being a customer we may retain your personal information for legal or regulatory obligations, internal research and analytics or to respond to a question or complaint.

### **Using your personal information**

Please refer to the main Privacy Policy for details of how we use personal information.

### **Rights as a data subject**

As a data subject you have rights on your personal information these may include:

- ) Right to be informed on you the processing, object or to restrict the processing of your personal information
- ) Right to access, rectification or erasure of your personal information
- ) Right to data portability of the information in a format that can be easily reused

In addition to the above you have the right to lodge a complaint and refer to the main Privacy Policy for details or more information and details of the EU jurisdictions where you can find the data protection authorities p<European Commission>.

Where you decline to disclose personal information with us we may not be able to provide you with components of our products and services.

### **Minors and children's privacy**

Any collection of details of children under 16 will only be with the consent of a parent or guardian.