



Experian Australia Credit Services Pty Ltd

Independent Review of Compliance with Part IIIA of the Privacy Act 1988 (Cth) and the Privacy (Credit Reporting) Code 2014 Public Report

8 May 2024

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Disclaimer

This Report is intended solely for the information of the Office of the Australian Information Commissioner. Neither Piper Alderman nor Experian Australia Credit Services Pty Ltd accept any responsibility to any other person who accesses this Report.

The facts asserted in this Report and on which we base our findings are derived wholly from the documents identified in Appendix 1 and the responses provided in interviews and meetings with the persons identified in Appendix 2.

This Report concerns compliance only with Part IIIA of the Privacy Act 1988 and the Privacy (Credit Reporting) Code 2014. We have not examined and offer no opinion about any other obligations under the Privacy Act that may or may not be applicable to Experian Australia Credit Services Pty Ltd.

Terms used in this Report that are defined in the Glossary have the meaning given in the Glossary.

This Report is dated as at 8 May 2024.

Glossary

Term	Definition
Access Seeker	Has the meaning given in section 6L(1) of the Privacy Act
AFCA	Australian Financial Complaints Authority
AFSA	Australian Financial Security Authority
Australian Privacy Principles	Has the meaning given in section 14 of the Privacy Act
Ban Period	Has the meaning given in section 20K(3) of the Privacy Act
Bureau Database	The NextGen information system in which Experian holds Credit Reporting Information for the purpose of providing services to Clients
Bureau Member	A Data Supplier that supplies credit information to Experian and/or a Client to whom Experian discloses Credit Reporting Information
Client	A Bureau Member to which Experian discloses Credit Reporting Information
Client Bureau Member	A Bureau Member to whom Experian has contracted to provide its services, including the disclosure of Credit Reporting Information
Consumer Credit Liability Information	Has the meaning given in section 6 of the Privacy Act
CR Code	<i>The Privacy (Credit Reporting) Code 2014 (Version 2.3)</i> as in force at the Date of this Report
CRB Derived Information	Has the meaning given in section 6 of the Privacy Act
Credit Information	Has the meaning given in section 6N of the Privacy Act.
Credit Provider	Has the meaning given in sections 6G to 6K of the Privacy Act
Credit Reporting Business	Has the meaning given in section 6P of the Privacy Act
Credit Reporting Information	Has the meaning given in section 6 of the Privacy Act

Credit Reporting Policy	The document titled 'Experian Australia Credit Services Privacy Policy 2022' dated October 2022, a copy of which is included in Appendix C to this Report
Data Supplier	A Bureau Member who supplies credit information to Experian
Date of this Report	8 May 2024
Default Information	Has the meaning given in section 6Q of the Privacy Act
EDR	External Dispute Resolution
Experian	Experian Australia Credit Services Pty Ltd (ACN 150 305 838)
Financial Hardship Information	Has the meaning given in section 6QA(4) of the Privacy Act
Government Related Identifier	Has the meaning given in section 6 of the Privacy Act
Identification Information	Has the meaning given in section 6 of the Privacy Act
IDR	Internal Dispute Resolution
Information Commissioner	The Information Commissioner within the meaning of the <i>Australian Information Commissioner Act 2010</i> (Cth)
Part IIIA Obligations	Obligations contained in Part IIIA of the Privacy Act and the CR Code
Payment Information	Has the meaning given in section 6T of the Privacy Act
Permitted CRB disclosure	Has the meaning given in section 20F of the Privacy Act
Personal Information	Has the meaning given in section 6 of the Privacy Act
Privacy Act	<i>Privacy Act 1988</i> (Cth) as in force at the Date of this Report
Privacy Regulation	<i>Privacy Regulation 2013</i> (Cth) as in force as at the Date of this Report
Repayment History Information	Has the meaning given in section 6V(1) of the Privacy Act
Report	Refers to this report titled 'Experian Australia Credit Services Pty Ltd – Independent Review of Compliance with Part IIIA of the Privacy Act 1988 (Cth) and the Privacy (Credit Reporting) Code 2014 Public Report'



Executive Summary



Piper Alderman

Overview

Introduction

Experian Australia Credit Services Pty Ltd ('Experian') is part of a group of companies whose ultimate holding company is Experian Plc, a company incorporated in the United Kingdom and listed on the London Stock Exchange. The Experian corporate group carries on a global information services business, providing data, analytics, marketing and credit services and related software to businesses and consumers.

Experian is a credit reporting body as defined under the Privacy Act and accordingly collects, uses and discloses personal information in the conduct of its credit reporting business. As a result, the information that Experian collects, uses and discloses is regulated by the Part IIIA Obligations. This report considers those obligations and not the Australian Privacy Principles.

This report relates only to Experian and not to any other entity, whether or not a related body corporate of Experian.

Background and Objectives

This report contains the findings of our independent review of Experian's operations and processes pursuant to clause 24.2 of the CR Code.

The objective of this review is to express an opinion regarding Experian's compliance with the credit reporting obligations in Part IIIA of the Privacy Act, the Privacy Regulation and the CR Code.

Scope

Our review involved performing procedures to obtain evidence regarding Experian's compliance with its Part IIIA Obligations. Procedures performed include:

- a) Reviewing policy and process documents;
- b) Interviews with key Experian personnel;
- c) Reviewing samples of de-identified Credit Reporting Information held by Experian; and
- d) Reviewing regulatory logs maintained by Experian.

Where necessary or appropriate, our review involved analysing samples of documents created by Experian on the applicable topic. We consider that the evidence we have obtained is sufficient and appropriate to assess whether Experian complies with its Part IIIA Obligations.

In particular, our review involved the following procedures to assess Experian's compliance with the Part IIIA Obligations:

- a) desk reviews at Experian's Sydney office of the documents listed in Appendix A;

- b) interviews with selected Experian personnel listed in Appendix B;
- c) analysis of regulatory breach logs, as relevant; and
- d) analysis of a sample of default insights provided.

We examined Experian's operations and processes (as disclosed in the documents we examined and discussions we conducted with key Experian personnel) and assessed them against checklists for obligations under Part IIIA of the Privacy Act and related obligations under the CR Code.

The scope of this review includes all:

- a) relevant credit products or information sets; and
- b) relevant types and sources of credit information.

Further, in a meeting between the Information Commissioner and Experian on 8 August 2023, the Information Commissioner noted that:

- a) information relating to Experian's correction request procedures should be included in the Report; and
- b) a more detailed and systematic approach should be adopted in the Report.

We note that both of these recommendations are reflected in the Report.

Limitation of Scope

This scope of this review is limited to ensuring Experian's compliance with requirements of:

- a) Part IIIA of the Privacy Act;
- b) the Privacy Regulations; and
- c) the Privacy (Credit Reporting) Code 2014 (version 2.3).

The scope of this review does not encompass Experian's compliance with the Australian Privacy Principles or any other legislation applicable to Experian and we offer no opinion in respect of such matters. Due to the commercial sensitivity of the documents and Experian's information security policies, most documents that we examined were supplied to us by Experian for our review at Experian's Sydney office premises and we were not able to take copies of the documents. We have not retained copies of the documents that were provided to us for review.

Summary of Key Findings

On the evidence that we reviewed and for the reasons that follow, and subject to our qualifications in this Report, we find that Experian complies with its Part IIIA Obligations. The Summary of Compliance table on the following pages outlines the compliance status in relation to each section.

Summary of Compliance

KEY: ✓ = Compliant ✗ = Not compliant

Report section	Topic	Compliance Status
1	Management of Credit Reporting Information	✓
2	Collection of Credit Reporting Information	✓
3	Use and Disclosure of Credit Reporting Information	✓
4	Quality of Credit Reporting Information	✓
5	Access to Credit Reporting Information	✓
6	Correction of Credit Reporting Information	✓
7	Security of Credit Reporting Information	✓
8	Complaints	✓
9	Information Retention and Destruction	✓



Findings



PiperAlderman

1. Management of Credit Reporting Information

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
1.1	Division 2, s20B(2)	Paragraph 3	Experian must take reasonable steps to implement practices, procedures and systems relating to its Credit Reporting Business that will: (a) ensure that Experian complies with its obligations under the Privacy Act and the CR Code; and (b) enable Experian to deal with inquiries or complaints from individuals about Experian's compliance with its obligations under the Privacy Act and the CR Code. Experian complies with this obligation in a variety of ways, including developing training programs, staff manuals, standard procedures and policy documents and also including a contractual provision in its agreement with Data Suppliers requiring the Data Suppliers to comply with their obligations under the Privacy Act and the CR Code.
1.2	Division 2, s20B(3) and (4)	Paragraph 3	Section 20B(3) of the Privacy Act requires Experian to have a clearly expressed and up-to-date policy about how it manages Credit Reporting Information, addressing the matters listed in section 20B(4) of the Privacy Act. Experian's Credit Reporting Policy addresses the following matters: (a) the kinds of credit information held by Experian and how it is collected; (b) the kinds of Credit Reporting Information held by Experian and the manner in which Experian holds such information; (c) the kinds of Personal Information that Experian derives from Credit Information that it holds; (d) the purposes for which Experian collects, holds, uses and discloses Credit Reporting Information; (e) that individuals can request that Experian not use their Credit Reporting Information for pre-screening for direct marketing purposes; (f) how individuals who reasonably believe that they are (or are likely to be) a victim of fraud can request a ban period be applied to their Credit Reporting Information; (g) how individuals can access Credit Reporting Information that Experian holds about them; (h) the measures that Experian takes to ensure that Credit Reporting Information held about individuals is accurate and up-to-date;

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			(i) how individuals may request correction of their Credit Reporting Information; (j) how individuals may make complaints to Experian; (k) contact details for the Information Commissioner and AFCA and an explanation that if the individual is dissatisfied with Experian's handling of a complaint, they may refer the matter to those bodies; and (l) methods by which an individual can contact Experian. Experian's Credit Reporting Policy contains all of the information required by section 20B(4) of the Privacy Act. It is clearly expressed and contains plain English explanations of Experian's practices and individuals' rights under the Privacy Act.
1.3	Division 2, s20B(5)	Para 3.1	Section 20B(5) of the Privacy Act requires Experian to take such steps as are reasonable in the circumstances to make its Credit Reporting Policy available free of charge and in an appropriate form. Paragraph 3.1 of the CR Code requires Experian to publish its Credit Reporting Policy on its website. Experian complies with both of these obligations by publishing its Credit Reporting Policy on a freely accessible section of its website in PDF format.

2. Collection of Credit Reporting Information

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
2.1.1	Division 2, s20C	Paras 5.1(a); 5.2; 5.4(a), (b), (c); 6; 7; 8; 9; 10 and 12	In the course of conducting its Credit Reporting Business, Experian is permitted to: (a) only collect solicited Credit Information about an individual by lawful and fair means from a Credit Provider who is permitted to disclose the information to Experian pursuant to section 21D of the Privacy Act, unless the Credit Provider is otherwise authorised or compelled by or under an Australian law or a court or tribunal to disclose this information to Experian; and (b) if Experian collects Identification Information about an individual, Experian must also collect or hold Credit Information of another kind about the individual. In the course of our review, we confirmed that Experian collects Credit Information from the following sources:

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			(a) Data Suppliers; (b) State and Territory courts; and (c) AFSA. Bureau Members who are Data Suppliers are entities with which Experian has an agreement to receive credit information. Bureau Members may or may not be Credit Provider. Where an entity has applied to become a Bureau Member in the capacity of a Credit Provider, to ensure that the entity is a Credit Provider which is permitted to provide Credit Information to Experian pursuant to section 21D of the Privacy Act, Experian conducts various due diligence on prospective Bureau Members as part of its onboarding process, part of which involves verifying that an entity: (a) that it satisfies the definition of a Credit Provider as defined in sections 6G-6K of the Privacy Act; (b) has an Australian link (verified by Australian Company Number and Australian Business Number searches); and (c) is a member of the AFCA dispute resolution scheme. Experian's due diligence and onboarding procedures in relation to Credit Providers also requires it to verify that a prospective Bureau Member is either appropriately licensed or authorised to engage in credit activities, or is otherwise exempt from the requirement to hold an Australian credit licence. This requirement is applied to all prospective Bureau Members who is a Credit Provider, regardless of the type of data they will be supplying to Experian, which exceeds the requirements of section 21D of the Privacy Act. In addition to obtaining searches in relation to an individual or entity applying to become a Bureau Member, as part of its general due diligence and onboarding process Experian also: (a) verifies that a prospective Bureau Member has a commercial premises and does not just operate using a residential address; (b) has implemented 'data validation rules' in its system to filter the data received from Bureau Members to ensure that they are only providing data which they are permitted to disclose to Experian. For example, the data validation rules include rejecting records for which the borrower's date of birth is less than 18 years prior to the relevant date for the information item (i.e. account opening date for Consumer Credit Liability Information, payment date for Repayment History Information or reporting date for Default Information) to ensure that Credit Reporting Information relating to acts, omissions,

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			matters or things occurring before an individual turned 18 is filtered out and not collected in the Bureau Database (as required by clause 5.4(a) of the CR Code); (c) has included terms in its agreements with Bureau Members which require Bureau Members to only supply information to Experian that the Bureau Member is authorised under the Privacy Act and CR Code to disclose to Experian; and (d) reviews the privacy policies of prospective Bureau Members to ensure that they provide the relevant information and contact details for IDR and EDR and the Information Commissioner. Our review of the documents provided and interviews with Experian personnel found no evidence of Experian collecting records containing only identification information about an individual, without the record also containing Credit Information of another kind about the individual (see section 20C(4)(d) of the Privacy Act). These aspects of Experian's due diligence and onboarding process ensures that where a Bureau Member is a Credit Provider, Experian only collects Credit Information from persons who are permitted under section 21D of the Privacy Act to disclose such information to credit reporting bodies. On the basis of these processes, we are of the view that Experian complies with section 20C(3) of the Privacy Act.
2.1.2	Division 2, s20C(4)(b), (c), (d) and (e)	Paragraph 8	Experian is permitted to collect Credit Information about an individual from an entity other than a Credit Provider in the course of conducting its Credit Reporting Business: (a) if Experian knows, or believes on reasonable grounds, that the individual is at least 18 years old; (b) the information does not relate to an act, omission, matter or thing that occurred or existed before the individual turned 18; (c) if the information relates to consumer credit or commercial credit, that credit has been provided or applied for in Australia; (d) if the information collected is Identification Information about the individual, it also collects or holds Credit Information of another kind about the individual; and (e) if the information is Repayment History Information about the individual, Experian collects it from another credit reporting body that has an Australian link. In the course of our review, we confirmed that Experian also collects Credit Reporting Information from various entities which are Data Suppliers but are not Credit Providers, such as courts and AFSA.

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			As the onboarding process and due diligence process undertaken on entities who are not Credit Providers applying to become a Bureau Member are the same as the processes undertaken for Credit Providers (described in 2.1.1 above), we are of the view that Experian complies with section 20C(4) of the Privacy Act.
2.1.3	Division 2, s20D	N/A	In circumstances where Experian receives unsolicited Credit Information in relation to an individual, Experian must determine within a reasonable period after receiving the information, whether or not it would have been permitted to collect the information itself pursuant to section 20C of the Privacy Act. In the event that Experian determine that it could have collected the Credit Information, it can choose to deal with that Credit Information in the same manner as Credit Information it has collected. If Experian determines that it could not have collected the Credit Information, Experian must have processes in place to destroy the information as soon as possible. In our review, we did not find any evidence of Experian receiving unsolicited Credit Information. As Credit Information is provided to Experian via a secure transfer service maintained by Experian and the Credit Information is processed by Experian prior to it being loaded into the Bureau Database, there does not appear to be any practical means by which unsolicited Credit Information can be provided to Experian.

3. Use and disclosure of Credit Reporting Information

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
3.1 Use of credit reporting information			
3.1.1	Division 2, s20E(1) and (2)	N/A	Experian is only permitted to use Credit Reporting Information it holds about an individual: (a) in the course of carrying on its Credit Reporting Business; (b) if the use is required or authorized by or under an Australian law or a court/tribunal order; or (c) if the use is a use which is prescribed by the Privacy Regulations. Experian uses Credit Reporting Information for the purposes of:

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			(a) compiling credit reports in respect of individuals; (b) computing credit scores in respect of individuals; and (c) carrying out procedures to test system integrity. Additionally, when it enters into an agreement with Client Bureau Members, Experian requires Bureau Members to use Credit Reporting Information supplied by Experian only in ways permitted by law. These activities constitute use of such information by Experian in the course of carrying on its Credit Reporting Business and are therefore permitted under section 20E(2)(a) of the Privacy Act.
3.2 Disclosure of credit reporting information			
3.2.1	Division 2, s20E(3) and (4), s20F and s20P	Paragraphs 7, 8, 9, 14 and 16	The Privacy Act permits Experian to disclose Credit Reporting Information about an individual if: (a) the disclosure is a Permitted CRB Disclosure; (b) the disclosure is made to another credit reporting body that has an Australian link; (c) the disclosure is for the purposes of a recognized EDR scheme and Experian or the Credit Provider is a member of or subject to that EDR scheme; (d) the disclosure is made to an enforcement body and Experian is satisfied that the body, or another enforcement body, believes on reasonable grounds that the individual has committed a serious credit infringement; (e) the disclosure is required or authorized by or under an Australian law or a court/tribunal order; or (f) the disclosure is a disclosure which is prescribed by the Privacy Regulations. The CR Code also permits Experian to disclose information in response to an information request from a Credit Provider in relation to an unknown or unascertainable amount of consumer credit, Consumer Credit Liability Information, Repayment History Information and Financial Hardship Information, Default Information and Payment Information. The circumstances in which these types of information may be disclosed by Experian are set out in paragraphs 7, 8, 9 and 10 of the CR Code. Experian only discloses Credit Reporting Information to Client Bureau Members (some of whom may also be Data Suppliers) after they have satisfied Experian's due diligence and onboarding process, which are the same

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			processes for Data Suppliers. To ensure that Experian only discloses Credit Reporting Information as permitted by the Privacy Act and the CR Code, Experian requires Bureau Members who are requesting Credit Reporting Information from Experian to specify the reason for which they are requesting the information (by way of system codes that correspond to permitted CRB disclosures in section 20F of the Privacy Act) and other particulars such as the type of credit for which the individual has applied for, the account type and amount of credit specified in the borrower's credit application. All activities on Experian's information systems, including requests for and disclosures of Credit Reporting Information, are electronically recorded and those records are saved permanently for future reference. Since the footprint information is readily retrievable (by appropriately authorised Experian personnel) in future if the need arises, the Electronic Transactions Act 1999 (Cth) operates to qualify it as a written note of the disclosure for the purposes of section 20E(5) of the Privacy Act. If requests for information are made by the Information Commissioner or a law enforcement body, Experian's policies provide that the request is escalated to the Head of Compliance and Risk (Australia and New Zealand) to assess and determine Experian's response. Based on our review (and confirmed in our interviews of Experian's personnel), Experian's disclosure of Credit Reporting Information to other credit reporting bodies was only in the context of facilitating data correction requests in which another credit reporting body was involved. Discussions with relevant Experian personnel indicated that Experian's policies and procedures in relation to the use and disclosure of Credit Reporting Information were being complied with, and our review of the procedures did not find any evidence to suggest otherwise. The policies and procedures we reviewed were compliant with the Privacy Act and CR Code. We therefore consider that Experian has sufficient arrangements and systems in place to ensure that its use and disclosure of Credit Reporting Information complies with its obligations under section 20E of the Privacy Act and provisions of the CR Code.
3.3 Direct marketing and pre-screening			
3.1	Division 2, s20G	Paragraph 18	Credit reporting bodies are not permitted to use or disclose Credit Reporting Information it holds about an individual, for the purposes of direct marketing. However, credit reporting bodies are permitted to use Credit Information they hold about an individual for the purposes of direct marketing by, or on behalf of, a Credit Provider if: (a) the Credit Provider has an Australian link and holds a Australian credit licence; and

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			(b) the direct marketing is about consumer credit that the Credit Provider provides in Australia; and (c) the information is not Consumer Credit Liability Information, Repayment History Information or Financial Hardship Information about the individual; (d) the credit reporting body uses the information to assess whether or not the individual is eligible to receive the direct marketing communications of the Credit Provider; (e) the individual has not made a request to the credit reporting body not to use the Credit Information it holds in relation to them, for this purpose; (f) the credit reporting body complies with the requirements of the CR Code. Based on our review of the Experian's policies and procedures and as confirmed by interviews with Experian personnel, Experian does not use Credit Reporting Information for the purpose of direct marketing or pre-screening individuals' eligibility to receive direct marketing communications from a Credit Provider.
3.4 Ban periods			
3.4.1	Division 2, s20K	Paragraph 17	If an individual believes on reasonable grounds that they have been, or are likely to be, a victim of fraud and the individual has submitted a request to Experian not to use or disclose the information about them, Experian must impose a Ban Period and not use or disclose the information about the individual during the Ban Period, unless: (a) the individual expressly consents in writing to Experian's use or disclosure of the Credit Reporting Information; or (b) the use or disclosure of the Credit Reporting Information is required by or under an Australian law or a court/tribunal order. Once it imposes a Ban Period in response to an individual's request, Experian must: (a) include a notation on the Credit Reporting Information held in relation to that individual that there a Ban Period has been requested, for the duration of the Ban Period; (b) explain to the individual: (i) the effect and duration of the Ban Period, including that the individual may not be able to access credit during the Ban Period; (ii) that they may request a Ban Period with our credit reporting bodies and also consent to Experian notifying other credit reporting bodies nominated by the individual of the individual's request for that

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			credit reporting body not to use or disclose the individual's Credit Reporting Information. Experian must also provide the notified credit reporting bodies with a copy of the individual's Ban Period request; (c) notify the individual no less than 5 business days before the end of the Ban Period, the date the Ban Period is due to finish, the individual's rights to extend the Ban Period and any information that Experian requires to support the individual's allegation of fraud; and (d) notify any person who requests Credit Reporting Information about an individual in relation to which a Ban Period is in place, the effect of the Ban Period. Based on our review of Experian's procedures and policies and interviews with Experian's personnel, we found no evidence to suggest that Experian uses or discloses, whether deliberately or inadvertently, information that is the subject of a Ban Period request, and therefore we believe that Experian complies with its obligations relating to Ban Periods. This is demonstrated by the following examples: (a) Experian enables individuals to request a Ban Period: (i) by ordering a copy of their credit report and including a 'Ban Period Request' with their order; or (ii) via Experian's Online Web Form. (b) Experian requires Ban Period requests to be made in writing (online) and we were instructed by Experian personnel that Experian includes this requirement to ensure that the consumer is aware that they are requesting a ban period. (c) Once it imposes a Ban Period, Experian: (i) sends an email to the individual to notify them of the Ban Period; (ii) makes a notation on its system that a Ban Period has been initiated in relation to that individual's Credit Reporting Information. (d) The 'data validation rules' which apply to Experian's system automatically apply a default Ban Period of 21 days and then the Ban Period is confirmed with the individual by email. (e) In accordance with clause 17.3 of the CR Code, Experian writes to an individual at least 5 days before

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			the expiry of the Ban Period to remind them of their ability to extend the ban beyond its scheduled expiry date. In the event that an individual requests an extension to the Ban Period, Experian has policies in place to facilitate any extension of a Ban Period in consultation with the individual as required by the Privacy Act. (f) An individual may request a copy of their credit report from Experian, at no cost to them, to confirm that the credit report includes a notation reflecting the Ban Period. (g) Experian does not charge individuals for requesting a Ban Period or extending their Ban Period and it does not limit the number of times that an individual can request an extension of their Ban Period.
3.5 Government-related identifiers			
3.5.1	Division 2, s20L	N/A	If Experian holds Credit Reporting Information about an individual and that information is a Government Related Identifier of the individual, Experian must not adopt the Government Related Identifier as its own identifier of the individual, unless the adoption of the Government Related Identifier is required or authorized by or under an Australian law or a court/tribunal order. In our review of Experian's policies and interviews with Experian personnel, we were instructed that Experian does not use Government Related Identifiers. Instead, Experian generates its own unique identifier for each individual.
3.6 De-identified credit reporting information			
3.6.1	Division 2, s20M	N/A	If Experian holds Credit Reporting Information which is de-identified, it must not use or disclose that information unless: (a) the use or disclosure is for the purposes of conducting research in relation to credit; and (a) Experian complies with the <i>Privacy (Credit Related Research) Rules 2014</i> made pursuant to section 20M of the Privacy Act. We were instructed by Experian that it offers 'retrospective credit services' that use de-identified Credit Reporting Information to provide a service to Clients which allows them to test algorithms and rules using de-identified Credit Reporting Information for the purposes of conducting research in relation to its credit business, such as the likely effect of proposed changes to its lending criteria. In our interview with Experian personnel, we were instructed that such use of de-identified Credit Reporting Information for research purposes is in accordance with its obligations under the Privacy Act.

4. Quality of Credit Reporting Information

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
4.1	Division 2, s20N, s20Q	Paragraphs 5.4(g) and 23	Experian must take reasonable steps to ensure that the credit information it: (a) collects is accurate, up-to-date and complete; (b) uses or discloses is accurate, up to date, complete and relevant. In satisfying this obligation, Experian must: (a) enter into agreements with Credit Providers that require the Credit Providers to ensure that credit information that they disclose to Experian is accurate, up to date and complete; and (b) ensure that regular reviews are conducted by an independent person to determine whether those agreements are being complied with; and (c) identify and deal with suspected breaches of those agreements. In conducting our review of Experian's policies, procedures and agreements with its Clients and Data Suppliers, we believe that Experian has taken reasonable steps to implement robust measures to ensure that the data that it collects from Data Suppliers, and the data that it holds, uses and discloses to Clients, is of sufficient quality to satisfy its obligations under section 20N of the Privacy Act. Some of these measures include: (a) Agreements with Clients - in our review of a pro forma copy of the Agreement for the Provision of Experian Credit Services (MSA) which Experian enters into with its Clients, we noted that clause 1.4 of the MSA includes a requirement for Clients to ensure that any information they provide to Experian is 'complete, accurate and in the agreed format.' Although the pro forma MSA provided to us for review did not specifically require that records provided to Experian are to be 'up to date', in our interview with Experian personnel, we were instructed that the MSAs will be amended accordingly. (b) Agreements with Data Suppliers - in our interview with Experian personnel, we were instructed that Experian's Data Release Agreement which Experian enters into with Data Suppliers, includes in clause 1.3 a requirement that the Data Supplier must ensure that information provided to Experian is 'accurate, up to date and complete', which reflects the obligations under the Privacy Act. Experian's agreements with Data Suppliers also require the Data Supplier to provide records of information that are accurate to the best of the Data Supplier's knowledge and to promptly correct or update

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			information which it has previously provided to Experian. Under those agreements, Experian also has a right to require a Data Supplier to manually verify the accuracy of information that it has provided to Experian, and Experian personnel advised us that Experian exercises this right as part of its audit of a Data Supplier. (c) Collection of Credit Information - Experian has implemented processes to assess the quality of credit information supplied to it by Data Suppliers and to filter out data that does not meet Experian's requirements, prior to the data being loaded into the Bureau Database and becoming available for use and disclosure by Experian. The process by which Experian collects credit information from a Data Supplier can be summarised as follows: (i) the Data Supplier loads a file containing records of credit information via a secure file transfer service maintained by Experian; (ii) the file is converted to the format required by Experian; (iii) the file is assessed against Experian's data validation rules (see below); and (iv) once validated, the data is loaded into the Bureau Database. Further, we reviewed Experian's internal policy document setting out its data validation rules which are applied to the data collected by Experian. That document contains a number of rules that are applied to the data automatically by software, including format checks for certain coded fields, logical checks and cross-field validation where multiple fields are related. The rules concern: (a) the logical possibility of data (for example, preventing default information wrongly assigned to a future date); (b) internal consistency of data (for example, the account closure date cannot be earlier than the account opening date of a record) and Privacy Act; and (c) Privacy Act or CR Code limitations on certain credit information (for example, the date on which a payment was due must be at least 60 days before the date that the information was reported, or the act/omission must not have occurred when the individual was under 18). Records that do not pass the data validation rules are rejected. We were advised by Experian personnel that rejection rates in excess of 5% result in rejection of the entire file and the issue is raised with the Data

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			Supplier. Experian's data collection process addresses data quality issues pre-emptively, before credit information is loaded into the Bureau Database, thereby reducing the need for later action against a Data Supplier for breach of its agreement with Experian. Where credit information needs to be removed from the Bureau Database, Experian has processes and the technical ability to do so. The data in each file submitted by a Data Supplier is tagged with information about that file, enabling it to be later identified in a search by a particular file, and extracted if necessary. Experian's file handling process also compares each data load against past data loads by the same Bureau Member, both in respect of the data itself and in respect of characteristics of the data (e.g. number of records submitted, frequency of file submission by a Bureau Member) and variances in excess of 5% are investigated. Whilst an issue with a data load is being investigated, the entire data load is not loaded onto Experian's live Bureau Database until the issue is resolved. We found that Experian's data validation rules correctly reflect relevant Privacy Act and CR Code provisions applying to credit information (in particular, the definitions of the various categories of credit information and retention periods) and are effective to ensure that credit information collected by Experian is accurate, up-to-date and complete. We consider that, overall, Experian's process in collecting credit information from Data Suppliers enables it to comply with its obligations under section 20N of the Privacy Act. (d) Audits of Bureau Members - Experian's agreements with its Client Bureau Members and Data Supplier Bureau Members contain terms permitting Experian to audit a Bureau Member's compliance with the terms of the agreement, including the data quality and information security obligations in those agreements. Those terms expressly permit Experian to appoint an independent person to conduct the audit. Experian takes a risk-based approach to conducting audits of Bureau Members. Every 6 months, Experian assesses each Bureau Member against a proprietary internal risk scorecard, which considers factors that are relevant to the risk that the credit information supplied by a particular Bureau Member is inaccurate, incomplete or not up-to-date and the risk of misuse, interference or loss or unauthorised access, use or disclosure of credit reporting information received from Experian. Bureau Members that exceed a threshold score are subject to an audit, which involves a questionnaire relating to the Bureau Member's systems and processes for collecting and supplying credit information to Experian, their data security arrangements and a review of a randomly selected sample of credit information that the Bureau Member has given to Experian.

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			The Bureau Member's responses to the questionnaire are considered by Experian, any shortcomings addressed with the Bureau Member and the data in the sample of records is manually verified with the Bureau Member. Each audit of a Bureau Member is overseen by an employee of the global Experian group outside the Experian credit reporting business, to provide for independence from both the Bureau Member and the Experian credit reporting business. We are instructed that in the past three years, Experian has conducted six audits of Bureau Members. In addition to its comprehensive onboarding process, Experian has in place a risk-based system to determine whether it conducts an audit of a Bureau Member. Experian assesses each Bureau Member against a proprietary internal risk scorecard, which considers factors that are sufficient to meet the requirements of sections 20N and 20Q of the Privacy Act. We reviewed the audit questionnaire and we were advised in our interviews with Experian personnel that audits typically uncover a failure to update data – for example, a failure to submit Payment Information in relation to previously submitted default information, or a failure to update consumer credit liability information if the credit account has subsequently been closed – rather than the intentional or negligent provision of incorrect "original" data. We were advised that no audit has, to date, uncovered intentional wrongdoing by a Bureau Member, and that Experian always follows up a Bureau Member's implementation of the recommendations resulting from an audit. We therefore conclude that Experian complies with its obligations to conduct regular audits of Credit Providers required under sections 20N(3)(b) and 20Q(2)(b) of the Privacy Act and the associated obligations in clause 23 of the CR Code. (e) Use or disclosure of Credit Information - Experian has general baseline requirements which must be complied with by Bureau Members including a pre-screening and onboarding process. During pre-screening, Experian undertakes the appropriate data verification, client risk assessment and sanction screening processes, as necessary. Experian also undertakes verification and validation of data and evaluation of results prior to onboarding Clients, as part of conducting its due diligence process. Existing Clients that renew their Bureau Member agreement with Experian undergo the same due diligence process as new Clients. (f) Experian monitors data quality on an ongoing basis, with a monthly data quality report being prepared and the causes of data quality issues being investigated and rectified. Experian's systems also provide for the 'back out' of information provided by a Data Supplier where the Data Supplier later informs Experian that the information is not accurate, up- to-date or complete. We consider that these

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			measures demonstrate the reasonable steps taken by Experian to ensure that the credit reporting information that Experian collects, uses or discloses is accurate, up-to- date, complete and relevant.

5. Access to Credit Reporting Information

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
5.1	Division 2, s20R(1), (2) and (3)	Paragraph 19.1	If Experian receives a request by an Access Seeker in relation to Credit Reporting Information it holds about an individual, Experian must give the Access Seeker access to the information within a reasonable period which must be no longer than 10 days after the request is made to Experian. Before providing the Access Seeker with access to the information, Experian must first satisfy itself with reasonable evidence as to the identity of the person making the request and that person's entitlement to access the information under the Privacy Act, the Privacy Regulations and the CR Code. Our review confirmed that Experian complies with its obligations under section 20R(1), (2) and (3) of the Privacy Act and associated provisions of the CR Code in relation to giving individuals access to credit reporting information that Experian holds about that individual. Experian offers a process by which individuals can receive a copy of their Credit Report, which is a record of all credit reporting information that Experian holds about them. Experian's website contains a page entitled "Order your free Experian Credit Report", with a web form that individuals can complete to request a copy of their Credit Report. Individuals must provide Experian with one acceptable photo identification, and Experian will verify the information before processing the request. Experian then sends a copy of the Credit Report by email to the individual within 10 business days of receipt of the request. We found no evidence that other requests for Credit Reports were not granted within the 10 day period required by the Privacy Act. Where an Access Seeker is requesting information from Experian on behalf of a third party, we have confirmed that Experian has processes and procedures implemented to ensure that Experian only discloses the information to that Access Seeker only if that Access Seeker provides Experian with an 'Authority To Act' from the individual in relation to whom the information has been requested and 100 points of identification

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			to verify the identity of the individual.
5.2	Division 2, s20R(4), (5) and (6)	Paragraphs 19.2, 19.4 and 19.6	Experian must provide the following information to an Access Seeker without charging a fee (provided a request has not been made to Experian in the prior 3 months): (a) all Credit Information in relation to the individual held by Experian, that Experian uses for the purposes of making permitted disclosures under Part IIIA of the Privacy Act; (b) all current CRB Derived Information about the individual that is available; and (c) the individual's credit rating. Experian must present the information clearly and accessibly and provide reasonable explanations and summaries of the information to assist the Access Seeker to understand how the information may impact the individual's credit worthiness. Any direct marketing communication which Experian provides to the Access Seeker must only be given if the Access Seeker has opted in to consent to receipt of direct marketing communications. If Experian does not provide the information to the Access Seeker in the manner requested, Experian must take reasonable steps to provide access to the information in a way that meets the needs of Experian and the individual. In conducting our review, a member of the review team requested a copy of their Credit Report via the web form, without disclosing that they were doing so for the purposes of the review. The process experienced by the team member was as described above and they received a copy of their Credit Report 1 business day after making the access request. Experian does not charge a fee to individual to obtain a copy of their Credit Report, whether for the first occasion or any subsequent occasion.
5.3	Division 2, section 20R(6)	Paragraph 19.3	Experian may charge an Access Seeker for access to information if a request has been made in the 12 months prior, but Experian cannot charge for making the request and the charge must not be excessive. We are instructed that Experian does not offer any fee-based consumer facing services which require consumers to pay a fee to access their credit reporting information. Consumers are able to request access to their credit report for free at any time via the online forms on Experian's website.
5.4	Division 2, section 20R(7)	N/A	Experian is not required to provide an Access Seeker with Credit Reporting Information if: (a) such access would be unlawful; or

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			(b) denying access is required or authorized by or under an Australian law or a court/tribunal order; (c) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or (d) information held by Experian is insufficient for it to derive a credit rating of the individual in the ordinary course of Experian's Credit Reporting Business within 10 days of receipt of the request. Where Experian refuses to give an Access Seeker access to information due to one of the above reasons, Experian must give a written notice to the Access Seeker which: (a) sets out the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so; and (b) states that, if the Access Seeker is not satisfied with Experian's response to the request, the Access Seeker may lodge a complaint with Experian's EDR scheme or to the Information Commissioner under Part V of the Privacy Act. We were instructed by Experian personnel that Experian has not refused any requests for access to Credit Reports by the individuals concerned or an authorised Access Seeker.

6. Correction of Credit Reporting Information

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
6.1	Division 2, s20S(1) and (3)	Paragraph 20.4	<u>Corrections when Experian is made aware of the inaccuracy by a Data Supplier</u> If Experian is satisfied that the Credit Reporting Information which it holds about an individual is inaccurate, out-of-date, incomplete, irrelevant or misleading, Experian must take reasonable steps to correct the information to ensure that, having regard to the purpose for which the information is held, the information is accurate, up-to-date, complete, relevant and not misleading. If Experian corrects Credit Reporting Information under the above circumstances, and it has previously disclosed the information, it must give written notice of the correction to each recipient of the information, within a reasonable period, unless:

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			(a) it is impractical for Experian to give such notice; or (b) Experian is required by or under an Australian law, or a court/tribunal order, not to give such notice. As the success of Experian's Credit Reporting Business depends on the accuracy of the data that it holds, uses and discloses, Experian investigates and acts on any suggestion that data which it holds may be incorrect, correcting data or facilitating the correction of data as soon as possible. Experian's internal manuals include a procedure for Data Suppliers to request correction of information that they previously supplied to Experian. It involves Experian identifying the representative of the Data Supplier that is making the request, making the correction requested by the Data Supplier and then recording this change on the Credit Report in question. Once the correction has been made, Experian notifies the Data Supplier and any other person to whom it has disclosed the Credit Reporting Information, that a correction has been made to the information previously provided by Experian. In addition to specific correction requests received from Data Suppliers, Experian has a data 'back out' procedure by which an entire file of Credit Information provided by a Data Supplier can be removed from the Bureau Database in bulk if data quality issues are pervasive throughout a file. Information is tagged with the file from which it was supplied, enabling an entire file to be removed from the Bureau Database even if the file contains credit information regarding multiple individuals. We consider that the above processes implemented by Experian constitute reasonable steps to satisfy the obligation in section 20S(1) of the Privacy Act and in the course of our audit, we found no evidence that these procedures are not being followed in practice.
6.2	Division 2, s20T(2), (3) and (4), s20U, s21V	Paragraph 20.4, 20.5 and 20.6	<u>Corrections requested by individuals</u> An individual may submit a request to Experian to correct Personal Information Experian holds about the individual, if it holds at least one kind of Personal Information (below) about the individual, being: (a) Credit Information; or (b) CRB Derived Information; or (c) CP Derived Information. If Experian is satisfied that the Personal Information is inaccurate, out-of-date, incomplete, irrelevant or misleading, Experian must take reasonable steps to correct the information within either 30 days of the date on which it received

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			the request or such longer period as the individual has agreed to in writing. Upon request by an individual, Experian must correct Credit Reporting Information by destroying Default Information if Experian is satisfied that the Default Information is inaccurate, out of date, incomplete, irrelevant or misleading, having regard to the purpose for which the information is held by Experian. Where Experian cannot be satisfied that the Personal Information is inaccurate, out-of-date, incomplete, irrelevant or misleading, it must consult either or both another Credit Reporting Body or Credit Provider that holds the information and that has an Australian link. If Experian corrects the Personal Information, it must, within a reasonable period: (a) give the individual written notice of the correction; and (b) if it consulted either or both another Credit Reporting Body or a Credit Provider about the individual's correction request, give the party written notice of the correction; and (c) if the correction relates to information that Experian has previously disclosed, give each recipient of the information written notice of the correction, unless it is impractical for Experian to give such notice. If Experian does not correct the Personal Information, it must, within a reasonable period, give a written notice to the individual which: (a) states that the correction has not been made; and (b) sets out Experian's reasons for not making the correction (including any evidence to substantiate that the information it holds is correct); and (c) states that, if the individual is not satisfied with the response to their request, they may lodge a complaint with Experian's EDR scheme or the Information Commissioner under Part V of the Privacy Act. Experian is not required to give the above notices if it is required by or under an Australian law or a court/tribunal order, not to give the notice. Experian must not charge an individual for requesting a correction to their Personal Information. We consider that Experian complies with its obligations under sections 20T and 20U of the Privacy Act and the provisions of the CR Code to take the reasonable steps to correct personal information requested by an individual and destroy information in accordance with its legislative obligations following completion of a

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			correction request. Experian has processes in place to correct credit information at the request of the individual to which such information relates. Experian requires correction requests to be submitted in writing via the portal on Experian's website or by way of email to creditreport@au.experian.com. In addition to their personal details, in each case, the individual is required to include their credit report number in the request and particulars of the change requested, including providing evidence of why the information is currently not correct. If an individual does not have a copy of their credit report, they are directed to first request a copy of their credit report (which Experian provides free of charge). Correction requests are entered into a "Corrections Exchange" to facilitate investigation of the complaint together with the relevant Data Supplier. Experian's policies provide for correction requests to be investigated and resolved within 30 days, consistent with section 20T(2) of the Privacy Act. Following resolution of the correction request, Experian sends the individual a letter advising them either that the information has been corrected as requested or the reasons why their request was denied. The letter also informs the individual that they can complain to AFCA and the Information Commissioner and includes contact information for both, as required by section 20U of the Privacy Act. Experian does not charge individuals in relation to correction requests in compliance with section 20T(5) of the Privacy Act. Our interviews with Experian personnel did not yield answers inconsistent with the policy set out in Experian's Consumer Operations – Operations Manual, indicating that Experian effectively trains its staff in its procedures to comply with the applicable Part IIIA Obligations expressed in that manual and that the relevant personnel are complying with those policies. If there is a correction of information in an individual's Credit Report, Experian has in place processes to notify the fact of the correction to each Bureau Member to whom Experian has disclosed Credit Reporting Information about the individual within the 3 month period leading up to the correction. Experian therefore complies with section 20U of the Privacy Act (we consider that giving notice to past recipients from beyond 3 months before the correction date would be impracticable).
6.3	Division 2, s20T, s21V	Paragraph 20.2	Experian must take reasonable steps to respond to any consultation requests from other Credit Reporting Bodies or Credit Providers about correction requests, as soon as possible. We have confirmed with Experian personnel that Experian has implemented processes to respond to any

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			consultation requests it may receive from other Credit Reporting Bodies or Credit Providers in relation to a correction request from an individual.
6.4	Division 2, s20T, s21V	Paragraph 20.3	If Experian is unable to respond to a correction request within 30 days from receipt of a correction request, it must have processes in place to ensure that it: (a) notifies the individual of the delay, reasons for the delay and the expected timeframe to resolve the matter (b) seeks the individual's agreement to an extension of time to respond to the correction request (c) advises the individual that it may lodge a complaint with Experian's EDR scheme or to the Information Commissioner. If the individual does not agree to an extension of time for Experian to respond to the correction request, Experian must, as soon as practicable, provide a response to the correction request within the timeframe sought for extension. If there is no resolution within 20 days from receipt of a correction request, Experian's procedure requires it to contact the individual to request an extension of time. Experian has confirmed to us that, as at the Date of this Report, its average resolution time for a correction request is within the 30 day service level provided for by its internal policies and the Privacy Act.

7. Security of Credit Reporting Information

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
7.1	Division 2, s20Q	Paragraph 15.1	Experian must take reasonable steps to protect the Credit Reporting Information it holds from: (a) misuse, interference and loss; and (b) unauthorized access, modification or disclosure. Experian must also: (a) enter into agreements with Credit Providers to require them to protect the Credit Reporting Information they disclose to Experian from

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			(i) misuse, interference and loss; and (ii) unauthorized access, modification or disclosure; and (b) ensure that regular audits are conducted by an independent person to determine whether the Credit Providers are complying with the agreements; and (c) identify and deal with any suspected breaches of those agreements. Experian must also maintain reasonable practices, procedures and systems to ensure that the security of the Credit Reporting Information it holds and transmits. We consider that Experian complies with its obligations to take reasonable steps to ensure the security of the Credit Reporting Information that it holds from misuse, interference and loss and from unauthorised access, use or disclosure. <u>Security of Credit Reporting Information held by Experian</u> Experian has in place information security policies and practices to protect the security of the Credit Reporting Information that it holds. The Bureau Database is quarantined from Experian's other information systems and protected by firewalls and other hardware and software to prevent unauthorised access. Data Suppliers supply Credit Information via a secure transfer protocol and internal access is only via specific devices. Experian advises that these technical measures comply with industry best practice and any unauthorised attempts to access Experian's information systems, including the Bureau Database, are continually monitored and addressed. This monitoring protects the Credit Reporting Information held electronically by Experian from external threats. Furthermore, Experian ensures that all incoming mail are scanned to the secure drive, with any copies of mail not being permitted to leave the mail room. Due to the increase of hybrid working arrangements where many of Experian's personnel work partly from home and partly in the office, Experian has heightened system security measures of its systems, including the Bureau Database, to ensure the security of the Credit Reporting Information it holds. In our interviews with Experian personnel, we were instructed that Experian generally does not hold Credit Reporting Information in hard-copy form. In limited instances when Credit Reporting Information is handled in hard-copy form (such as when an access or correction request by an individual may be received via post), any incoming mail is scanned to the dedicated file server and sent to the relevant Experian personnel for processing by secure internal email, and the hard-copy is then destroyed by being securely shredded.

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			We believe that these measures implemented by Experian ensure that the possibility of unauthorised access, modification or disclosure by persons within Experian is minimised. <u>Transmission of Credit Reporting Information by Experian</u> Experian utilises the Secure Transport System (STS) application to provide a secure file transfer mechanism to enable the exchange of bulk files with Credit Providers. STS is compatible with standard secure internet protocols, and offers a secure, automated channel for the transport of bulk data. Experian also has a process for reporting security breaches, if an incident was to occur which may lead to, or could lead to, a loss of confidentiality, integrity or the availability of Experian's systems, services, reputation or information. Each Experian employee has the responsibility to report a security incident immediately to their manager, who in turn must notify the BISO. <u>Security of credit reporting information disclosed to Clients</u> Experian's MSA with each Client imposes an obligation on the Client Bureau Member to keep information, including Credit Reporting Information, disclosed by Experian to the Client, strictly confidential. The MSA includes provisions which: (a) prohibits the disclosure of such information by the Client to any person except to the extent necessary for the performance of obligations under the agreement; (b) requires the Client to take all reasonable steps to prevent unauthorised access to information supplied by Experian, including to, at a minimum, comply with any information security requirements advised or directed by Experian from time to time; (c) comply with all data protection obligations imposed on it by law, including those under the Privacy Act; (d) protect information received from Experian against misuse, interference and loss and from unauthorised access, use or disclosure; (e) comply with any reasonable instructions and guideline set by Experian in relation to information security; and (f) allow Experian and Experian's Bureau Members to conduct audits, which involve detailed consideration of the Bureau Member's information security arrangements.

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			We therefore consider that Experian complies with section 20Q of the Privacy Act.

8. Complaints

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
8.1	Division 5, s23B and s23C(2)	Paragraphs 21.3 and 21.5	If Experian receives a complaint relating to its acts or practices that may constitute a breach of its Part IIIA Obligations, Experian must investigate the complaint and make a decision regarding the complaint, ensuring that it: (a) give the complainant a written notice within 7 days after the complaint is made, acknowledge the complaint and setting out how Experian will deal with the complaint; (b) investigates the complaint; and (c) if necessary, consult another Credit Reporting Body or a Credit Provider about the complaint. After it investigates the complaint, Experian must, within 30 days from the day on which the complaint is made or such longer period as the complainant has agreed to in writing, make a decision about the complaint and give the individual a written notice that: (a) sets out the decision; and (b) states that, if the individual is not satisfied with the decision, the individual may lodge a complaint with Experian's EDR scheme or the Information Commissioner. If the complaint relates to Credit Reporting Information or Credit Eligibility Information or Credit Information held by a Credit Provider, Experian must provide written notice to the other Credit Reporting Body or Credit Provider of the complaint as soon as practicable after it is made and of the making of a decision about the complaint as soon as practicable after it is made. If Experian discloses Credit Reporting Information which is the subject of an unresolved complaint at the time of its disclosure by Experian, Experian must, at the time of disclosure, provide written notice of the complaint to the recipient of that information. Experian is not required to provide the above notices if it is impractical for Experian to do so, or if Experian is required by or under an Australian law or a court/tribunal order, not to give the notice.

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			Experian has a Complaints Management Policy in place which applies to all Experian Asia-Pacific employees and third parties who receive or manage consumer communications that are complaints. Experian adopts a broad definition of ‘complaint’ to include any expression of dissatisfaction by a consumer with an Experian product, service, channel, policy or employee (but not including disputes regarding the correctness of information in a credit report or legal issues with separate resolution), whether or not it relates to an alleged breach of Experian’s Part IIIA Obligations. Experian uses Salesforce customer relationship management software to manage complaints. Experian’s complaints process provides for an initial letter to be sent to the complainant within 7 days of the complaint. We reviewed Experian’s pro forma initial letter and confirmed that the letter acknowledged receipt of the complaint, set out how the complaint will be dealt with and advises that Experian is in the process investigating/resolving the complaint, and included information regarding how the complainant can complain to AFCA or the Information Commissioner. Experian’s Complaints Management Policy provides for complaints to be resolved within 21 days for its Credit Reporting Business in Australia, unless a longer period is agreed with the complainant. Once a complaint has been investigated, Experian notifies the complainant of its decision in writing, and of the fact that if the complainant is dissatisfied with Experian’s decision, they can complain to AFCA or to the Information Commissioner. Experian does not charge individuals any fee to make a complaint. Based on our review of Experian’s Complaints Management Policy, its general policies and procedures relevant to complaints and interviews with Experian personnel, we believe that Experian complies with its Part IIIA Obligations relating to the management of complaints and we found no evidence that Experian does not comply with these policies in practice. In the 12 months prior to the Date of this Report, we were instructed that the average time taken to resolve internal complaints was 16 days and the average time taken to resolve AFCA complaints was 38 days. While the resolution period for AFCA complaints is outside the 30 day time limit set out in section 23B(5) of the Privacy Act, these cases are governed by AFCA’s case cycle (and therefore outside of Experian’s control) and can take 2-3 months to resolve, depending on which stage of the case cycle the case may reach a resolution. Further, the Privacy Act provides for extension of the period with the written agreement of the complainant if a complaint cannot be resolved within 30 days.

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			In the 12 months prior to the Date of this Report, Experian received 38 AFCA complaints and 34 complaints via Experian's IDR procedure.

9. Information retention and destruction

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
9.1	Division 2, s20W, s20X	Paragraph 22	Experian must maintain and retain adequate records of evidence of its compliance with its Part IIIA Obligations for a minimum of 5 years from the date on which the record is made, unless the record includes information that Experian is required by Part IIIA to destroy at the end of the applicable retention period, which are set out in sections 20W and 20X of the Privacy Act. As part of the audit, we examined a sample of default information records randomly extracted from Experian's Bureau Database and observed that none of the records were more than five years old (i.e. from the original listing date of the default provided by the organization listing the default) at the date on which they were extracted.
9.2	Division 2, s20V	Paragraph 1.2(g)	Experian must destroy or de-identify Credit Information it holds about an individual (including any CRB Derived Information derived from 2 or more kinds of Credit Information) within 1 month after the expiry of the retention period, except: (a) in relation to Identification Information or Credit Information which is publicly available, where there is no applicable retention period; (b) if immediately before the retention period ends, there is a pending correction request or pending dispute in relation to the information; (c) Experian is required by or under an Australian law or a court/tribunal order, to retain the Credit Information. We were instructed in our interviews with Experian personnel that Experian's system is programmed to automatically destroy Credit Information during the next purge after the end of the retention period for that item of Credit Information. We also examined Experian's data validation rules and confirmed that the rules for automatic deletion of data correspond to the retention periods stipulated in sections 20W and 20X of the Privacy Act and contain

Ref #	Part IIIA Ref.	CR Code Ref.	Obligations and Analysis
			exceptions for circumstances where Experian is required by law to retain Credit Information beyond its retention period. These are circumstances in which the Credit Information: (a) is subject to a pending correction request; (b) is the subject of a dispute; or (c) is otherwise required to be retained by an Australian law or an order of a court or tribunal. As data purges are conducted on a weekly or fortnightly basis, there is no prospect of data being retained beyond one month after the end of the retention period, unless an exception applies. Credit Information retained in these circumstances are held outside the Bureau Database and therefore is not used by Experian or disclosed to any Client.

Qualifications and Assumptions

The facts asserted in this Report and on which we base our findings are derived wholly from the documents identified in Appendix A and the responses provided in interviews and meetings with the persons identified in Appendix B.

This Report concerns compliance only with Experian's Part IIIA Obligations. We have not examined and offer no opinion regarding any other obligations under the Privacy Act or other laws that may be applicable to Experian. In particular, we did not consider compliance with the Australian Privacy Principles to the extent that they overlap with Part IIIA Obligations.

Our report is designed to provide reasonable assurance that Experian complies with its Part IIIA Obligations. In carrying out our review, we observed samples of documents and processes, rather than the entire population, where we considered it more appropriate and practical to do so.

The review procedures and interviews identified in this Report were carried out between 22 February 2024 and 27 March 2024.

To the extent that there was an overlap between the Australian Privacy Principles and Part IIIA Obligations, the application of the Australian Privacy Principles is outside the scope of this Report and therefore was not considered (for example, the incidental collection of Personal Information that is not Credit Information from individuals requesting access to their credit report).

We have not independently verified statements of facts supplied to us by Experian, other than to the extent specifically stated in this Report.

Terms used in this Report that are defined in the Glossary have the same meaning as in the Glossary.

This Report has been prepared for the sole purpose of enabling Experian to comply with clause 24.2 of the CR Code and is intended solely for the information of the Office of the Australian Information Commissioner.

The content of the Report is not to be taken as advice of any kind and should not be relied on as such. Neither Piper Alderman nor Experian accepts any responsibility to any other person who may act in reliance on the Report.

Piper Alderman

8 May 2024



Appendices



PiperAlderman

Appendix A: Documents Reviewed

Documents reviewed by Piper Alderman in conducting the review and preparing the Report

Document No.	Document Title	Description
1	CCLI and CCR Monthly Process	Process diagram showing how Credit Providers update information they have provided to Experian on a monthly basis
2	Current DM Network Data Flow	Process diagram showing the data flow process within Experian's information system
3	Customer Onboarding Process	Combined with 'Client Onboarding Workflow'
4	Data Load Process	Process diagram showing how data enters Experian's information system
5	Data Quality Issues	Process diagram showing how data quality issues are resolved
6	Default Load Process	Process diagram showing how Default Information is input into Experian's system
7	Default Update Process	Process diagram showing how Default Information is updated on individual credit files

8	Onboarding Process	Process diagram showing the set up of a new Bureau Member on Experian's system
9	Client Services Operations Manual	Overview of processes associated with onboarding and supporting Clients and Data Suppliers
10	Appendix 2 – ACB Due Diligence Screening (version 0.12 – 19 July 2023)	Policy and procedures that must be followed when Experian takes on a new Data Supplier or Client
11	Appendix 3 – ACB Member Account Management	Comprises of the following Process Instruction Manuals (PIMs): - PIM – Onboarding – New Bureau Member: Data Supplier (version 1.0) - PIM – Onboarding – New Bureau Member: Client (version 1.0)
12	Appendix 4 – ACB KYC Process (version 0.8 – 2 December 2023)	Policy which sets out the identification procedure to be undertaken before a Client or Data Supplier is granted access to data
13	Online Credit Reporting Process	Procedure setting out instructions on how to process an access request received by email
14	Corrections Policy	Data Correction Policy
15	Business Back Out	Process for removing data from Experian's credit reporting environment
16	Complaints Management Policy (Doc 4000.70.01 – effective 1 April 2023)	Policy for handling complaints received by Experian from consumers and Bureau Members
17	Consumer Operations – Operations Manual (version 0.28 – 1 February 2024)	Manual covering all aspects of Experian's dealing with consumers
18	Regulatory Breach Log	Log showing a sample of regulatory breaches
19	Complaints Queue	Screenshots of samples of matters in complaints queue

20	Default Listings Log (sample)	Sample of 100 default listings
21	Master Services Agreement for the Provision of Experian Credit Services	Agreement by which Client Bureau Members obtain Credit Reporting Information from Experian
22	Audit Questionnaire	Questions asked by Experian of Credit Providers when Experian audits their compliance with the Privacy Act, CR Code and data sharing agreements with Experian
23	Sources and types of Credit Information (as defined in s6N of the Privacy Act) that will be covered	Matrix of Data Suppliers and the type of data they supply to Experian
24	CCR Toolkit (version 2.0)	Document to assist Credit Providers to understand the roadmap for CCR data supply project
25	Client Onboarding Workflow	Process diagram of client onboarding process
26	Appendix 1 – APAC Due Diligence Pack	Due diligence process overview
27	Appendix 2 – Credit Report Request	Process diagram showing credit report request process
28	Appendix 3 – Ban Request	Process diagram showing the Ban Period request process
29	Appendix 4 – Consumer Disputes – Manual requests via email process flow; ClearScore and Third Party Disputes; Credit Connect/Email manual merged files	Process diagram showing various processes for dealing with consumer disputes
30	Appendix 5 – Consumer Complaints	Process diagram showing how consumer complaints are received and handled via Salesforce software
31	Appendix 6 – Client Corrections	Process diagram showing corrections process
32	Letter – Complaint Response	Template for initial letter which Experian sends to a complainant

33	Letter – Complaint Resolution	Template for letter which Experian sends to complainant advising of outcome
34	Letter – Dispute/Correction Resolution	Template for letter which Experian sends to consumer advising of outcome of dispute/correction request
35	Credit Connect – Process Flow	Process diagram for how corrections are processed through Credit Connect
36	CorrEx – Process Flow	Process diagram for how corrections are processed through CorrEx
37	Merge File – Process Flow	Process diagram for how merge files are handled
38	Manual Disputes – Process Flow	Process diagram for how manual corrections are handled
38	Credentialling Application Form	Template form which new Clients must complete to enable Experian to conduct an initial assessment
40	Client Delivery Process Manual (version 0.9 – 12 February 2024)	Manual detailing the process followed by Experian’s Client Delivery team to ensure Experian’s compliance with its legal obligations during daily management of client services
41	Functional Specification: Data Validation Rules (All data types version 2.1)	Policy document which shows the rules applied to Experian’s system to filter data before it is loaded onto the Bureau Database

Piper Alderman

8 May 2024

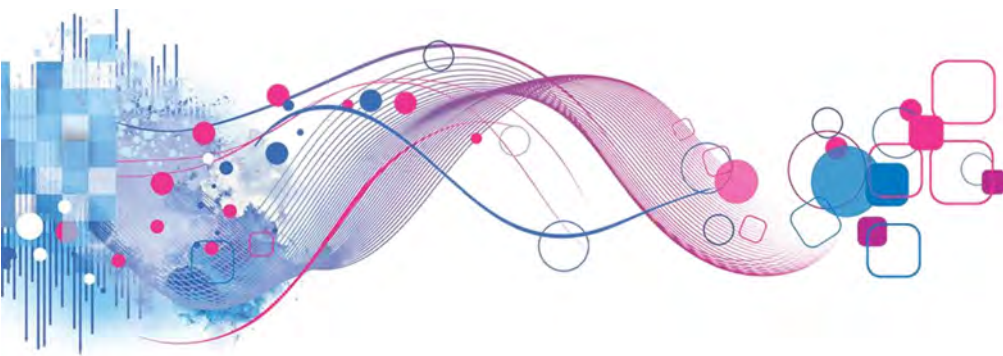
Appendix B : Interviews with Experian Personnel

Date of interview	Name of Experian personnel	Position of Experian personnel
21 March 2024	Becs Taylor	Head of Consumer Operations
21 March 2024	Michelle Edgtton	Team Leader, Consumer Operations
25 March 2024	Robbie Dyer	Director of Operations
25 March 2024	Ward Olivete	Head of Legal, Au/NZ
26 March 2024	Sefike Kirikkaya	Head of Compliance and Risk, Au/NZ
26 March 2024	Tristan Taylor	General Manager, Credit Services and CTO, Au/NZ
27 March 2024	Rebecca Barbour	Head of Client Delivery

Piper Alderman

8 May 2024

Appendix C : Experian Credit Reporting Policy



Experian Australia Credit Services Privacy Policy 2022

October 2022



Our commitment

At Experian Australia Credit Services Pty Ltd (referred to as Experian) we recognise the importance of your privacy and understand your concerns about the security of your Personal Information.

While information is the foundation for providing superior service, protecting your privacy and your Personal Information is of the highest importance to us. We believe that responsible stewardship of the information entrusted to us is crucial in developing and maintaining the public trust which in turn is essential for our continued success.

Scope

Experian, as a credit reporting body bound by the *Privacy Act 1988* (Cth) ("Privacy Act"), handles your Personal Information in accordance with law. As a result, the information Experian collects, uses, and discloses is regulated under Part IIIA of the Privacy Act rather than the Australian Privacy Principles ("APPs"). You should be aware that other entities within the group of Experian companies may collect, use, and disclose Personal Information in accordance with the APPs, which do not relate to credit reporting.

This privacy policy ("Policy") details how we will manage your Personal Information, including:

- a) the kinds of credit reporting information that we hold, and how we hold that information;
- b) the purposes for which we collect, hold, use, and disclose credit reporting information;
- c) how we use your information to contact or market to you directly (and your rights in respect of this);
- d) how you can access a copy of the credit reporting information we hold;
- e) how you can seek the correction of such information and your rights to correct;
- f) the kinds of personal information that we derived from credit information; and
- g) how you can complain if we don't meet our legal obligations, and how we deal with such a complaint.

We may, from time to time, review and update this Policy, including taking account of new or amended laws, new technology, and/or changes to our operations and practices. All Personal Information held by us will be governed by the most recently updated Policy. Accordingly, please regularly review our Policy so that you are aware of these updates and changes. If you have any questions, please contact us at:

Attn: Privacy Manager

Experian Group Companies

PO Box 1969

North Sydney NSW 2060

experian.com.au/consumer

What kinds of Personal Information do we collect?

The kinds of Personal Information we may collect and hold from you or about you includes:

- a) Identification information (for example, name, surname, address, and date of birth);
- b) Consumer credit liability information (for example, the name of the credit provider that granted you credit, the type of credit you have entered into, and the terms and conditions of the credit agreement);
- c) Repayment history information (for example, whether you have met your obligation to make a payment, the day on which your payment is due and payable);
- d) Financial hardship information (for example, where a payment obligation for a particular month is affected by a financial hardship arrangement)
- e) Consumer credit defaults (an adverse record detailing that you have stopped paying your account for more than 60 days and the overdue amount is more than \$150);
- f) Information relating to previously reported consumer credit defaults, including repayment information and new arrangement information;
- g) Information requests (for example, the name of the credit provider that accessed your credit report, the reason for the enquiry);
- h) Court Records relating to court findings associated with financial obligations not being met (for example, sequestrations, liquidations, bankruptcies and non-payment of debt).

Other information we may collect and hold includes:

- a) details of your financial and credit dealings with companies such as telecommunications providers and utilities;
- b) driver licence details.

Experian does not collect sensitive information such as:

- a) racial or ethnic origin;
- b) political opinions;
- c) membership of a political association;
- d) religious beliefs or affiliations;
- e) philosophical beliefs;
- f) membership of a professional or trade association;
- g) membership of a trade union;
- h) sexual orientation or practices;
- i) criminal record.

How do we collect that information?

We may obtain information about you from public and private sectors.

In the course of running a credit reporting business, we may collect information about you from:

- credit providers with which you may have a relationship;
- organisations from which you may have ordered a copy of your credit report;
- mortgage or trade insurers;
- debt collection agencies;
- state and territory courts;
- Government agencies such as the Australian Financial Security Authority, or the Australian Securities Investment Commission;
- any other parties who are authorised under the Privacy Act to share your Personal Information;
- our website when you deal with us online.

There may be circumstances when we collect or use additional details from you for the purposes of servicing your request, for example to correct your Personal Information on our database or to assist you when you notify us of potential fraud.

Experian collects your Personal Information to enable us to:

- provide our products and services to parties who are authorised under the Privacy Act to access your credit information, such as credit providers;
- provide you with your credit report when you ask us to do so;
- test the accuracy of the process by which your information is provided to us, updated, and loaded into our systems and the credit bureau; and
- conduct research into the use of bureau product and services.

How do we hold your information?

Experian holds your Personal Information in an Australian high security data centre. The Experian data centre and systems are only accessible by authorised Experian employees who are specially trained in security and data handling policies and protocols, Experian business standards, and the credit reporting obligations under the Privacy Act.

As a global leader, Experian recognises and acknowledges the importance of keeping the Personal Information and data that it holds secure and protected from unauthorised access. We adhere to international and industry standards around data privacy and protection. Access to your Personal Information is only provided to those employees who need to have access to perform their role. Access is also provided to customer's who use and subscribe the products and services we offer and any law enforcement agency with whom we are required by law to provide your Personal Information.

How does my information become an Experian Credit Report?

Experian uses the credit reporting information it holds on you to prepare your Experian Credit Report.

Your Experian Credit Report may include:

- a) your Experian credit score – a numeric representation of your credit worthiness based on mathematical algorithms;
- b) your identification details, including name (former name(s)) and address (former address(es));
- c) details of any defaults reported to us;
- d) comprehensive credit reporting information, including details of late or missed payments reported to us;
- e) court judgment information; and
- f) the number of information requests or enquiries made on your credit reporting information by credit providers.

Please note that financial hardship information is not used to generate your Experian credit score.

Our use and disclosure of your Personal Information

Experian holds, uses, and/or discloses your Personal Information only for those purposes which are permissible under the Part IIIA of the Privacy Act. Generally, credit reporting information is disclosed in the form of an Experian Credit Report and/or score in response to information requests or enquiries from a credit provider and where you have given consent to the credit provider seeking a credit report.

Experian also holds, uses, and discloses information for lawful purposes, which include:

- where you have provided consent to a party to use or access your credit reporting information generally for the purpose of providing services to you and assessing an application for consumer or commercial credit, mortgage or trade insurance, or where you are looking to provide a personal guarantee;
- for your credit provider to assist you with credit related products and services;
- where you have provided consent to a third party to access your information on your behalf;
- for investigative purposes;
- where we are required to do so under an Australian law or a court/tribunal order;
- where your Personal Information is de-identified and used for research and other purposes where permitted by law, including de-identified credit data for the purposes of conducting research in relation to credit.

We may also use your Personal Information to test the accuracy and efficacy of the system and data processes by which it is provided to us, including for inclusion in Experian's credit bureau and in relation to our provision of products and services.

Direct marketing

Under the Privacy Act there are limited circumstances in which your credit reporting information can be used for the purposes of direct marketing to you and Experian will only use or disclose your credit reporting information where permitted by law. Generally, we can only permit use or disclosure for direct marketing purposes by or to an Australian credit provider for the purposes of determining whether you may be eligible to receive communications from that credit provider about a particular consumer credit offer ("**pre-screening**").

You may by written request per the details below, request that we do not use your credit reporting information for the purposes of pre-screening direct marketing. You may need to establish your identity and/or your authority to make the request. Where you have made a request for us not to use your credit reporting information for pre-screening direct marketing, we will make a note on your file and will not use or disclose your credit information for the purposes of pre-screening direct marketing.

What if I am the victim of fraud, or am likely to become, a victim of fraud?

The Privacy Act provides that where you are a victim of fraud or have reasonable grounds to believe that you are (or are likely to be) a victim of fraud, you may request that we do not use or disclose your credit reporting information for 21 days from when you make the request ("**Ban Period**"). If we receive a request from a credit provider during the Ban Period, we will notify the credit provider making the request that your credit reporting information is subject to a ban at your request.

During the Ban Period you may:

- a) request us to provide your credit reporting information to a specified credit provider/s; and
- b) apply to extend the Ban Period.

During the Ban Period to ensure your Personal Information is not compromised, your information cannot be disclosed or used. The existence of a ban on your file may impact the approval process for an application for credit. Please alert the relevant parties, if you are, or are intending to apply for credit and a Ban Period is under way with us.

You may request a ban by using the request form found on the Consumer Services section of our website at experian.com.au/consumer/request-a-ban

Access to your credit reporting information

You are entitled to request access to review the credit reporting information we hold in respect of you. To request access, please use the request form found on the Consumer Services section of our website at experian.com.au/consumer/order-credit-report

Alternatively, you can send us a request with the following details:

- a) information required to identify you;
- b) proof of your identity;
- c) if you have authorised a person to act on your behalf;
- d) a written statement signed by you authorising the identified person to receive the information on your behalf.

We may require you to provide further information to reasonably verify your identity and/or to identify your credit reporting information from our systems (including details such as previous names, addresses and identity details).

Once we are reasonably satisfied of your identity or your authorisation, we will provide you with a copy of your credit reporting information.

Requests for credit reports are fulfilled within 10 business days of you contacting us.

Experian will not charge you a fee to access a copy of your credit reporting information, including where you have not made a request within the last 3 months, where you can provide evidence that in the past 90 days an application for credit has been declined due to your credit history, or where your request for access relates to a decision by a credit reporting body or credit provider to correct information on your credit report.

How we maintain the quality of your Personal Information

It is extremely important to us that the Personal Information we hold about you is up to date and accurate. We take such steps as are reasonable to ensure that credit reporting information we hold about you is accurate and up to date. To do this we undertake steps to verify information provided to us for use as credit reporting information, including:

- a) giving weight to the most recent source;
- b) smart algorithmic matching to identify common typographical errors;
- c) internal data hygiene review, de-duplication, and processing;
- d) use of proven advanced data quality software and systems.

We are required under the Privacy Act to acquire credit reporting information on agreement terms that require providers to ensure that credit information contributed is accurate, up to date, and complete. We are also required to ensure that there is regular independent auditing of those agreements for compliance.

Experian ensures that information required to be removed and/or destroyed from your credit history is carried out within the timeframes as specified in the Privacy Act. For information as to how long we can retain your credit history, please contact us or visit our website at experian.com.au/consumer

Corrections

If you believe that the information we hold about you may not be up to date, accurate, or complete, you have the right under the Privacy Act to apply to us for a correction of that information. In such cases we ask that you contact us so that we can investigate the matter on your behalf.

On receipt of this information we will investigate and use all reasonable endeavours to resolve the issue within 30 days from receipt of your correction request. We may require further information or details from you to complete our investigation into your request. Depending on the nature of the correction we may require further information from or the assistance of another party such as another credit reporting body or credit provider to investigate or resolve the correction request. Where Experian is not the original provider of the information, we will liaise with the relevant parties to investigate the accuracy of the information we hold.

We will advise you of the outcome. Where the investigation is complex we may seek your agreement to allow more time for the investigation and resolution. Where, following our investigation we determine that a correction is warranted, we will take all reasonable steps to correct our records and we will provide you with written details of the correction and a copy of your updated credit record.

If we do not update your information as a result of your request, we will provide detailed feedback as to the reasons why we could not process your request. If you are unsatisfied with the outcome of the investigation you can contact the Australian Financial Complaints Authority (AFCA):

	afca.org.au		Australian Financial Complaints Authority GPO Box 3 Melbourne VIC 3001
	info@afca.org.au		
	1800 931 678		

Complaints

We make every effort to ensure that our information management practices comply with applicable laws. However, if you feel that Experian has not complied with our obligations under the Privacy Act, you can contact us with the details of your complaint. We will acknowledge receipt of your complaint within 7 days, we will investigate your complaint, and will seek to resolve it within 30 days.

If your concern relates to the correction of information we hold about you, we request that you seek a correction in accordance with the process described above before submitting a complaint.

If you are not satisfied with the outcome of our investigation, you may refer the matter to the Office of the Australian Information Commissioner or Australian Financial Complaints Authority (our external dispute resolution scheme) using the details below.

Contact details for both parties are as follows:

Office of the Australian Information Commissioner GPO Box 5218 Sydney NSW 2001 www.oaic.gov.au	Australian Financial Complaints Authority GPO Box 3 Melbourne, VIC 3001 www.afca.org.au
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Further information

This Policy reflects general information on how we:

- a) comply with our obligations under the Privacy Act;
- b) collect, hold, use, disclose, and manage your Personal Information; and
- c) provide credit reporting business services to our clients and to consumers.

This Policy is not legal advice and is not intended to replace the rights, duties, and obligations a party has under the Privacy Act. Nothing in this Policy is intended to create or impose rights, remedies, or obligations additional to those set out in the Privacy Act. All reasonable care has been taken by Experian to prepare and keep this Policy up to date. However, the information contained in this Policy is not intended to be a warranty or representation or otherwise to create any legal contractual relationship or obligations between you and Experian.

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