

# **European Union General Data Protection Regulation**

Policy

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25 May 2018

Bendigo and Adelaide Bank Limited  
ABN 11 068 049 178



**Bendigo and  
Adelaide Bank**

## General Data Protection Regulation (GDPR)

### Application

This GDPR section of our Privacy Policy ('GDPR Policy') applies to you if you are in a country that is a member of the European Economic Area ('EEA') and you are protected by the General Data Protection Regulation 2016/679 ('GDPR') in relation to your personal data that we process or control (an 'EU Data Subject'). We are the data controller under this GDPR Policy. If you are an EU Data Subject, the other sections of this Privacy Policy and our Credit Reporting Policy also apply to you, but they do not affect this GDPR Policy if they are not consistent with this GDPR Policy.

### Principles

Your personal data will be:

- processed lawfully, fairly, and in a transparent manner;
- collected for specified, explicit and legitimate purposes and not further processed in a way incompatible with those purposes;
- adequate, relevant and limited to data necessary for the purposes for which the data is processed;
- accurate and kept up-to-date where necessary;
- kept in a form which permits your identification for no longer than is necessary for the purpose for which data is processed; and
- processed in a manner that ensures appropriate security.

These principles are subject to applicable laws, including any limits or exceptions to these principles in the GDPR.

### Processing your personal data

We will only process your personal data if you have given consent, or when it is necessary:

- to perform a contract with you or to take steps preparatory to such a contract;
- to comply with a legal obligation to which we are subject;
- to protect your vital interests or those of another person; or
- to perform a task carried out in the public interest or in the exercise of official authority vested in us.

We may also process your personal data if it is necessary for our legitimate interests or those of a third party. This includes processing for direct marketing purposes or preventing fraud, transmission of personal data within a group of companies for internal administrative purposes, processing for ensuring network and information security, and reporting possible criminal acts or threats to public security. However, this does not apply where these legitimate interests are overridden by your interests, or fundamental rights and freedoms which require protection of personal data.

We will not process your sensitive personal data, such as health information, racial or ethnic origin or political opinions unless you have given express consent for a specified purpose or in other special circumstances authorised under the GDPR, such as where it is necessary to protect your vital interests.

Generally, we retain your personal data while we have a customer relationship with you and to comply with any record-keeping requirements.

## **Your rights**

Under the GDPR you have certain rights in relation to your personal data that we control. The following is a summary of the main rights which are in addition to any other rights that you may have under our Privacy Policy.

- **Access rights:** You have the right to obtain confirmation of whether your personal data is being processed and the right to access the data (including obtaining a copy). We will comply with your request without undue delay. You also have the right to obtain information about the purposes of processing, the categories of data processed, the recipients, the envisaged retention period (or criteria to determine that period), your rights to rectify or erase data or restrict processing and to complain, information about the sources of data not collected from you, and about any regulated automated decision making, including the significance and envisaged consequences of the automated decision making for you.
- **Rectification:** You may require us to rectify inaccuracies in personal data held about you.
- **Objection rights:** You have the right to object to processing of data for direct marketing, processing based on our legitimate interests, and processing for research or statistical purposes. If you object, there may be compelling reasons why we are not required to stop processing your data (except in the case of direct marketing).
- **Right of erasure:** You have the right to have your personal data erased in certain situations, including where the data is no longer necessary for the purpose for which it was collected or processed, or if you withdraw consent to processing and there is no other justification for processing.
- **Right to restrict processing:** You have the right to restrict the processing of data in certain situations, such as where the individual disputes the accuracy of the data or has objected to its processing.
- **Profiling and automated decision making:** You have the right not to be subject to decisions based solely on automated processing of data, such as profiling, if the decision produces legal effects concerning you, or similarly significantly affects you. However, we can use automated processing of data if it is necessary to enter into or perform a contract between you and us, if it is based on your explicit consent, or when it is authorised by law.

## **Data breaches**

We will report a personal data breach to the relevant supervisory authority without undue delay unless we are not required to do so under the GDPR, such as when it is unlikely to result in any risk to the rights of individuals.

If the personal data breach is likely to result in a high risk to your rights and freedoms, we will communicate the breach to you without undue delay, unless we are not required to do so under the GDPR, such as when we have implemented appropriate measures such as encryption.

## **Transferring personal data**

We may transfer your personal data collected in the EEA to a country outside the EEA which has an adequate level of data protection, or if we have provided for appropriate safeguards and there are enforceable data subject rights and effective legal remedies available in the country.

We may also transfer your personal data outside the EEA:

- if you have given your explicit consent to the proposed transfer after being informed of the transfer and the possible risks;
- where it is necessary to perform a contract between you and us, or the implementation of pre-contractual measure; or
- where otherwise permitted under the GDPR.

## **Contacting us**

If you have any questions about our GDPR Policy, or if you want to exercise any of your rights under this GDPR Policy you may contact us (see Contacting us in our [Privacy Policy](#)).

## **Complaints**

You can make a complaint in relation to this GDPR Policy to our Customer Feedback Team on 1300 361 911 or at [feedback@bendigoadelaide.com.au](mailto:feedback@bendigoadelaide.com.au) or by using the other methods for raising complaints in our Privacy Policy. You can also complain to your local data protection authority in the EEA. Contact details for those authorities are available [here](#).

Date of Publication - May 2018

Bendigo and Adelaide Bank Limited, ABN 11 068 049 178 AFSL / Australian Credit Licence 237879.

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