
Australia

Wells Fargo International Privacy Notice

Effective: 08 March 2023

The Wells Fargo entity with which you and/or your organization have a relationship or otherwise share Personal Data ("**Wells Fargo**", "**we**", "**our**" or "**us**") provides this privacy notice ("**Notice**") to describe our practices regarding the collection, storage, use, disclosure and other processing of Personal Data (as defined below). The Wells Fargo entity in Australia whom you and/or your organization may have a relationship with is Wells Fargo International Finance (Australia) Pty Ltd. If you or your organization has a relationship or otherwise share Personal Data with a Wells Fargo entity in any country other than Australia, a different privacy notice (located at: <https://www.wellsfargo.com/privacy-security>) regarding that Wells Fargo entity's practices will govern those information collection and processing activities.

1. Types of Personal Data Collected

In Australia, we primarily have relationships and accounts only with corporations and other legal entities. However, we may collect information about individual representatives ("**Individuals**") of our customer organizations ("**Customers**"), such as the individual's:

- **Work contact details:** name, work address, phone number, mobile phone number, email address, and online contact details, including but not limited to unique identification and password for access to our website, mobile applications, and/or social media features.
- **Position description:** employer, title, position held, duties, and length of employment.
- **Authentication data:** passport, driver's license, other governmental identification information, home address and telephone number, documents that verify address, date of birth, country of domicile, documents that verify employment, and signature authorization.
- **Financial data:** salary and other income, sources of wealth, assets, financial relationships, and financial transactions.
- **Background check data:** background check information including credit and criminal checks and screening, to the extent required or permitted by local law.
- **Electronic and voice communications data:** business communications content and data, including IP address and session identification, with Wells Fargo through all applicable communication channels, including email, text, instant message or chat, transcriptions and/or telephone communications, voice recordings, video recordings, and presentations hosted by Wells Fargo.

Collectively, the above categories of data constitute "**Personal Data**". Among the above types of Personal Data, some of them may be considered sensitive Personal Data under privacy laws in Australia. Sensitive Personal Data includes but is not limited to information about an individual's criminal record, political associations, professional or trade association memberships, etc.

We may collect Personal Data directly from Individuals, Customers, including through interactions with Wells Fargo and use of bank systems, private lists, and publicly available sources. The provision of Personal Data is voluntary, but failure to provide this information may result in Wells Fargo being unable to provide or continue to provide the requested services to the Customer.

2. Purposes of Collection and Use

The purposes of collection and use of Personal Data are:

- **To provide the services requested by our Customers**, perform obligations under our agreements, carry out related business functions, including performing data and transaction processing, conducting credit checks, handling Customer inquiries, including communicating, presenting, and meeting with a Customer, and managing the Customer relationship, we collect and use work contact details, position description, authentication data, financial data, background check data, and electronic and voice communications data.
- **To comply with legal obligations, regulations, regulatory guidance or codes of practice** applicable to Wells Fargo and its Affiliated Entities (defined below) in the United States and/or any relevant jurisdictions, including but not limited to complying with “know your customer” obligations based on applicable anti-money laundering and anti-terrorism requirements, economic and trade sanctions, customer due diligence, fraud prevention and information security, suspicious activity reporting, operating whistleblowing systems or channels, foreign exchange and international trade, tax reporting and other applicable laws, regulations, ordinances, and obligations, complying with any requests from any regulator or authority, performing risk management to facilitate compliance with the above, we collect and use work contact details, position description, authentication data, financial data, background check data, and electronic and voice communications data.
- **To confirm a person’s authority as a representative or agent of a Customer**, with which Wells Fargo or its Affiliated Entities have entered or intend to enter into various arrangements, including but not limited to deposit contracts, loan contracts, contracts for foreign exchange transactions, contracts for derivative transactions, and letters of credit, we collect and use work contact details, position description, background check data, and authentication data.
- **To conduct recordkeeping and otherwise manage the business** (for example, to monitor or facilitate compliance with Wells Fargo’s internal policies, to manage or upgrade Wells Fargo’s technology or systems, to support audits, to protect the business, rights or property of any Wells Fargo entity by raising any legal claim, defense or proceedings, etc.), subject to and in accordance with applicable law, we collect and use work contact details, position description, authentication data, financial data, background check data, and electronic and voice communications data.

3. Disclosure of Personal Data

Wells Fargo may disclose Personal Data (including sensitive Personal Data) to the following categories of recipients (in each case to the extent necessary and on a need-to-know basis) for the purposes listed in Section 2.

- **Affiliated Entities.** Wells Fargo has affiliated entities operating in the United States and around the world, including the group parent in the United States, Wells Fargo & Company, and Wells Fargo Bank, N.A. (“**Affiliated Entities**”) (collectively, Wells Fargo and our Affiliated Entities are the “**Wells Fargo Group**”). Wells Fargo may disclose Personal Data to our Affiliated Entities on a worldwide basis, and such affiliates may use the data, for the purposes described in Section 2.
- **Beneficiaries, counterparties, and other parties related to a transaction.** The Wells Fargo Group may disclose Personal Data to beneficiaries, counterparties, or other parties related to a transaction on a worldwide basis, for example, to provide the services requested by our customers and to comply with legal obligations and regulations.
- **Service providers.** The Wells Fargo Group may disclose Personal Data to information technology providers or other service providers around the world that act under our instructions regarding the processing of such data (“**Data Processors**”). Data Processors will be subject to contractual obligations to implement appropriate administrative, technical, physical, and organizational security measures to safeguard Personal Data and to process Personal Data only as instructed. The Wells Fargo Group may also disclose Personal Data to independent external auditors or other service providers around the world that may not be acting as a Data Processor. Such service providers will be subject to any necessary contractual obligations regarding the protection and processing of such Personal Data.

- **Legal requirements.** Subject to applicable law, the Wells Fargo Group may disclose Personal Data if required or permitted by applicable law or regulation, including laws and regulations of the United States and other countries, or in the good faith belief that such action is necessary to: (a) comply with a legal obligation or in response to a request from law enforcement or other public authorities wherever the Wells Fargo Group may do business; (b) protect and defend the rights or property of any Wells Fargo Group entity; (c) act in urgent circumstances to protect the personal safety of Individuals, Customers, and contingent resources/employees of any Wells Fargo Group entity or others; or (d) protect against any legal liability. In addition, the Wells Fargo Group may share your Personal Data with U.S. regulators and with other self-regulatory bodies to which we are subject, wherever the Wells Fargo Group may do business.
- **Business transfers, combinations and related activities.** As we develop our business, the Wells Fargo Group might sell, buy, acquire, obtain, exchange, restructure, or reorganize businesses or assets. In the event of any actual or proposed sale, merger, reorganization, transaction, restructuring, dissolution or any similar event involving our business or assets, Personal Data may be shared with the relevant entity or may be part of the transferred assets and will be subject to any necessary contractual obligations to ensure the protection of Personal Data.

The recipients of Personal Data identified in this Section 3 may be located in the United States and other jurisdictions that may not provide the same level of data protection as your home country. As needed, we have taken steps to establish appropriate data transfer agreements or otherwise address cross-border data transfer restrictions. These measures enable us to transfer and use Personal Data in a secure manner anywhere in the world where we have an establishment or where we have contracted third parties to provide us with services.

4. Consents

To the extent permitted by applicable law, you expressly consent to the collection, use, disclosure, including cross-border transfer, and other processing of Personal Data as described in this Notice by providing us with the duly executed Acknowledgement and Consent appended to this Notice, or by otherwise providing Personal Data to the Wells Fargo Group or authorizing our Customer to provide such information to us. You expressly waive the bank secrecy or confidentiality laws and obligations, if any, of the country or countries where you and the accounts are located to the extent permitted by applicable law.

You may revoke consent at any time by notifying us at the address provided in Section 8 of this Notice. Prior uses and disclosures will not be affected (unless required by applicable law), and we may otherwise continue to process Personal Data as permitted or required by law. Revocation of consent may result in our inability to provide or continue to provide the requested services to the Customer.

5. Information Management, Security Control Measures, and Retention Periods

Personal Data will be safely stored in the databases of Wells Fargo. Appropriate measures are taken so that Personal Data can be kept accurate and up-to-date, which will be in accordance with applicable security requirements. In an effort to prevent the loss, misuse, unauthorized access, disclosure, alteration, or destruction of Personal Data, Wells Fargo will take appropriate legal, technical, physical and organizational security measures to protect Personal Data. We will keep Personal Data no longer than necessary to: (i) fulfill the purposes outlined in this Notice; (ii) comply with legal or regulatory obligations to which Wells Fargo is subject; or (iii) perform a contract duly established with you or in order to take steps at your request prior to entering a contract. We have implemented appropriate records retention policies to retain Personal Data only to the extent permitted by applicable laws. We may need to hold Personal Data beyond retention periods in response to a regulatory audit, investigation, or other legal matter. These requirements also apply to our third-party service providers. Where required by law, Wells Fargo will anonymize data for additional processing.

While registering with our website, mobile applications, or social media features (each, a "**Site**"), we may provide you with a unique identification and password for accessing our products and services. We encourage you to choose your password

wisely such that no intruder or third party can obtain any unauthorized access to the Site. We also encourage you to keep your password confidential and not have any written or other record of the password that can be accessible by an intruder or third party.

6. Access and Correction, Choice for Marketing Materials, and Other Legal Rights

- **Access and Correction.** Individuals have the right to access and correct any Personal Data held about them. Requests to access or correct any Personal Data held about an Individual must be submitted by the Individual in writing to the address listed in the Inquiries section below. After we have verified the Individual's identity, we will endeavor to provide the information and take the other actions requested as specified by local law, and, where permitted by law, we may charge an appropriate fee to cover the costs of responding to the request. In addition, an overview of all entities involved in the processing of Personal Data, including data processors and the countries where being processed, are available upon request. We will endeavor to respond promptly to valid data subject requests.
- **Choice for Marketing Materials.** If you do not want to receive marketing and sales materials from Wells Fargo by direct mail, telephone, or email, please follow the “unsubscribe” instructions provided in those communications or submit a written request to the address listed in the Inquiries section below. We will comply with your request within a reasonable period of time after receiving it or within the time period required by local law.

We will endeavour to respond promptly to valid data subject requests. The abovementioned rights may not be absolute, and exceptions may be applicable. If Wells Fargo is not able to accommodate your request, you will be provided with reasons for the denial.

7. Complaints

You may have a right under applicable law to make a complaint if you think we have breached this Notice or any applicable privacy law in handling your Personal Data. If you would like to make a complaint, please submit your complaint in writing to the contact details below. We will respond to a written complaint within 30 days. If you are not satisfied with our response, you may be able to pursue your complaint with the Office of the Australian Information Commissioner (“**OAIC**”). The details on how to lodge a complaint with the OAIC are available [here](#).

8. Inquiries

Please direct all requests relating to access, correction, and other legal rights regarding Personal Data, or any questions regarding this Notice to:

APAC Data Privacy Officer
138 Market St
#30-01 CapitaGreen
Singapore, 048946
Telephone: (65) 6395 6900
privacy.apac@wellsfargo.com

Your comments are valuable to us and we assure you that we will do our best to address them.

9. Modifications

This Notice may be modified as a result of amendments to the law or regulations or due to other reasons. In such case, an amended Notice will be posted on our website at <http://www.wellsfargo.com/privacy-security/>. The page providing the Notice shall contain a date as to when the Notice was last updated.

10. Wells Fargo entity in Australia covered by this Notice

The name and address of the Wells Fargo entity collecting and processing Personal Data in Australia is as follows:

<u>Entity Name</u>	<u>Address</u>
Wells Fargo International Finance (Australia) Pty Ltd	'Building 8' Level 2 576 Swan Street Richmond VIC 3121

Acknowledgement and Consent

By signing in the appropriate space below (or clicking the accept button if acknowledged electronically), the Customer, Guarantor or Individual (as applicable) agrees that:

- a) the Customer/Guarantor/Individual has received this Acknowledgment and Consent before transmitting or otherwise providing any Personal Data to Wells Fargo;
- b) the Customer/Guarantor/Individual consents to the collection, use, processing, storage, and transfer of Personal Data in accordance with the terms and conditions contained in the Notice;
- c) to the extent the Customer/Guarantor/Individual provides Wells Fargo with the Personal Data of any other individuals, it has informed such individuals about Wells Fargo's data privacy practices by providing them with a copy of the Notice (www.wellsfargo.com/assets/pdf/personal/privacy-security/australia-customer-privacy-notice-english.pdf) and has obtained any and all requisite consents from such individuals necessary to permit the activities described in the Notice;
- d) Wells Fargo may amend the Notice at any time by posting an updated version on its website referenced in (c) above, which the Customer/Guarantor/Individual shall check periodically; in case of any update of the Notice, the Customer/Guarantor/Individual shall: (i) to the extent permitted by applicable privacy law, be deemed to consent to the terms in the updated Notice unless withdrawal of consent is communicated in writing to Wells Fargo using the contact details in Section 8 of the Notice, and (ii) provide the individuals identified in (c) above with a copy of the updated Notice and obtain any and all required consents from such individuals to permit the activities described in the updated Notice; and
- e) the Notice supersedes any prior notice on this subject and shall cover all Personal Data collected or maintained by Wells Fargo in connection with its relationship with the Customer/Guarantor/Individual.

If you are a Corporate Customer or a Corporate Guarantor, please complete the following section:

Customer/Guarantor Name (Borrower's/Corporate Guarantor's Legal Entity Name)

Signature (Please sign here)

Signatory's Name (Please print)

Signatory's Position/Job Title

Date

If you are an Individual/Sole Trader, please complete the following section:

Signature (Please sign here)

Signatory's Name

Date