

FINANCE BROKING CREDIT GUIDE & PRIVACY POLICY

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The finance broking services offered in this Guide are provided by:

Stuart Fitzpatrick, CPA(FPS) CFP® SSA™ QPIA™

Credit Representative No:381669

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Australian Credit Licence No: 392277

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I/We acknowledge receipt of a copy of this document.

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About this Credit Guide

Congratulations on choosing an MFAA (Mortgage and Finance Association of Australia) member to help you arrange your finance needs!



full member



The MFAA is Australia's peak industry body for the mortgage and finance industry. Its members work hard to provide the best possible service and ethical standards.

This document provides information about the services we provide.

We are licensed to arrange loans and leases under the National Consumer Credit Protection Act 2009 (NCCP Act). The NCCP Act regulates the activity of lending, leasing and finance broking.

About Excel Financial Advisors

At Excel Financial Advisors our focus and passion is to help our clients build better futures for themselves and their families.

Being a small business allows us to learn and understand what is most important to our clients, so we can help you achieve the goals that really matter to you.

Being small doesn't mean we can't look after your needs – we invest heavily in ongoing training and we've aligned ourselves with industry experts and leaders across the range of services we provide so we have the best technical and product support to help us deliver our services to you.

Excel Financial Advisors can look after not only all your finance broking needs, but also all your needs in the areas of accounting and taxation, financial planning, and specialist SMSF advice services.

To discover more about how we may be able to help you please visit our website or give us a call and ask for our Client Services Guide.

We are proud to be a premium partner of the global giving initiative of Buy1 Give1.

When you use our services we also do something to help someone else build a better future by providing access to basic necessities we take for granted and small giving to empower change.

Thank you for your support - together we can make a difference.



Advisor Profile



Stuart Fitzpatrick, CPA(FPS), CFP®, SSA™, QPIA.

Stuart has worked in the financial services industry since 1980, including 20 years in the banking sector where he specialised in business finance.

Stuart has worked as an accountant both in public practice and in industry, has lectured in banking and finance at TAFE, and has an extensive knowledge of issues affecting small and medium businesses.

Stuart is a member of several professional associations, adhering to their codes of ethics and professional conduct. These are;

- CPA Australia – Certified Practising Accountant (*Financial Planning Specialist*)
- FPA Australia – Certified Financial Planner®
- Tax Agents Registration Board – Registered Tax Agent
- SMSF Professionals Association – SMSF Specialist Advisor™
- Mortgage & Finance Association – Credit Adviser – SMSF Lending
- Property Investment Professionals Association – Qualified Property Investment Adviser™.

Stuart holds a Bachelor of Business (Accounting), and a Graduate Diploma in Financial Planning. He has completed extensive specialist training in the areas of self-managed superannuation, property investment and aged care services.

Stuart and Heather (his wife and business partner) established their accounting and financial services business in 2004 and began providing financial services to our clients in 2005.

Stuart is passionate about helping his younger clients improve their financial literacy, helping them start providing for their retirement at an early age, and guiding them through their financial journey from first home ownership to wealth creation and a comfortable retirement.

Stuart and Heather own several investment properties and enjoy helping our clients build their own property investment portfolios.

We own a small farm in the Hunter Valley, where we operate our accounting and financial services business and a small beef cattle breeding business.

Credit Services We Provide

Advice

We will help you to choose a loan or lease which is suitable for your purposes.

Choice

We will provide you with information on a broad range of financiers and products. Once you have chosen a loan or lease that is suitable for you, we will help you to obtain an approval.

Execution only

You have already chosen a financier, and we will assist you to obtain an approval.

The services which **Stuart Fitzpatrick** and **Excel Financial Advisors** can provide as holder of an Australian Credit Licence include:

- Credit Advice;
- Home and Investment Loans;
- Business Loans;
- Vehicle & Equipment Finance;
- SMSF loans.

We are a member of the Professional Lenders Network of Australia (PLAN).

Our Panel Lenders

Our panel lenders will change from time to time, but are currently:

- ANZ Bank
- AMP Bank
- Adelaide Bank
- Australian Financial
- Auswide Bank *
- Bankwest *
- Bluestone
- Heritage Bank
- Homeloans Limited
- ING Direct
- Liberty Financial
- Macquarie Bank
- ME Bank
- Nabbroker (NAB)
- National Bank (NAB)
- Newcastle Permanent *
- Pepper Money
- PLAN Lending (NAB) *
- St. George *
- Suncorp Metway *
- Virgin Money

** Denotes the six most frequently used lenders.*

Our Obligations to You

Best Interest Duty

Under the NCCP Act, we are obliged to ensure that any loan or principal increase to a loan we help you to obtain or any lease we help you to enter is in your best interest. To decide this, we may need to ask you some questions in order to assess whether the loan or lease is in your best interest. The law requires us to:

- Make reasonable inquiries about your requirements and objectives;
- Make reasonable inquiries about your financial situation; and
- Take reasonable steps to verify that financial situation.

Credit will not be in your best interest if at the time of the assessment, it is likely that at the time the credit is provided:

- You could not pay or could only pay with substantial hardship; or
- The credit will not meet your requirements and objectives.

For example, if you can only repay by selling your principal place of residence, it is presumed that the loan will cause substantial hardship unless the contrary is proved. For this reason, we must ask you to provide a significant amount of information.

It is important that the information you provide us is complete and accurate, as if we proceed on incomplete or incorrect information, you may be in breach of your legal obligations to the lender.

We must provide you with a copy of our preliminary credit assessment of your application if you ask within seven years of when we assist you. We are only required to give you a copy of the credit assessment if we give you credit assistance.

Other Obligations

We are required to avoid conflicts of interest, however if such conflicts cannot be avoided, they must be resolved in your favour.

Examples of conflict could include:

- Recommending a lender based on higher commission rates when another lender had products more suitable for your needs and at lower cost, but paid lower commission rates;
- Recommending a lender who did not have the best product for your needs to satisfy minimum volume requirements to retain accreditations;
- Refinancing to another lender to obtain additional commission when your current lender had products equally suited to your needs and with comparable pricing.

The Process – What You Should Expect

Prior to the finance application

Prior to selecting a lender and loan products for you we will:

- Make enquiries about your circumstances and needs;
- Gather information from you generally required by most lenders; and
- Review the policies and products of the lenders on our panel to find the products we feel best suit your needs.

We will then prepare a Credit Disclosure Document which contains:

Credit Proposal Disclosure & Quote – an overview of the recommended loan structure, fees and charges;

Preliminary Assessment – an overview of your objectives, funding needs, capacity to service the loans and various disclosures; and

Appointment to Act – your acceptance of our recommendations and appointment of us to apply for the finance on your behalf.

We will issue you our invoice for the Credit Assistance Fee at this time.

The finance application

We may request you to provide updated or additional information at this time based on the chosen lender's requirements. We will then prepare the loan application and various supporting documents and arrange a meeting for you to review and sign the documents.

The application will then be submitted to the lender, and we will liaise with them in respect of any issues raised.

After Approval

We will liaise with you in respect of execution of loan documents and satisfying other requirements of the lender and follow through to settlement of the loan.



After Settlement

We will contact you 2-3 weeks after settlement of the loan to ensure you have received and understood the lender's settlement letter, any associated accounts have been set-up and repayment authorities established.

Annual Review

We will check in with you each year to ensure the loan facilities are still meeting your needs.

Fees and Payments

Fees payable by you

We typically charge you a fee for the services we provide to you. Our standard Credit Assistance Fees which cover advice, structuring and/or applying for finance approval for you (whether you take up the offer of finance or not) are:

- | | |
|---|---------|
| • Residential / Residential Investment Loan | \$660 |
| • SMSF Residential Investment Loans | \$1,100 |
| • Leasing / Hire Purchase | \$660 |
| • Commercial / Business Loans | POA |

We reserve the right to vary, discount, or waive these fees at our sole discretion. We will agree the services we provide and the amount of the Credit Assistance Fee with you before we start work. These will be set out in a Credit Disclosure Document (see next page).

Commissions received by us

We may receive commissions from the lenders and lessors who provide finance for you. This commission is separate from and in addition to any fee we receive from you. We are paid this commission for providing services to the lender by sourcing borrowers who meet their lending criteria and for assisting in the processing of loan applications. These are not fees payable by you, nor are they passed on to you in the form of higher lender fees or interest rates.

We will provide you with a reasonable estimate of any commission we will receive and how the commission is worked out before lodging any finance application.

Referral Fees received by us

Should you need help with your property investment decisions, we have strategic business partners who are able to assist. If we introduce you to one of these business partners and you choose to purchase a property through them, we will be paid a referral fee.

If you choose to use this service, we will provide you further information about our strategic business partners and the referral fee arrangements prior to the referral being made.

Commissions payable by us

We source referrals from a broad range of sources. For example, we may pay fees to call centre companies, real estate agents, accountants, or lawyers for referring you to us. These referral fees are generally small amounts and accord with usual business practice. These are not fees payable by you and if they do apply, we will disclose them to you.

Dispute Resolution

Our internal dispute resolution scheme

We hope you are delighted with our services, but if you have any complaints you should notify us by contacting our Complaints Officer by:

- Telephoning 02 4934 8844
- Emailing admin@exceladvisors.com.au
- Writing to PO Box 16, Karuah NSW 2324

or by speaking to any representative of our business who will refer you to the Complaints Officer.

You should explain the details of your complaint as clearly as you can. You may do this verbally or in writing.

When we receive a complaint, we will attempt to resolve it promptly. We hope that in this way we will stop any unnecessary and inappropriate escalation of minor complaints.

Our external dispute resolution scheme

If we do not reach agreement on your complaint, you may be able to refer the complaint to an ASIC Approved External Dispute Resolution (EDR) Scheme. Our external dispute resolution provider is:

Australian Financial Complaints Authority Limited

GPO Box 3 Melbourne VIC 3001

phone 1800 931 678

website: www.afca.org.au.

External dispute resolution is a free service established to provide you with an independent mechanism to resolve specific complaints. You can obtain further details about our dispute resolution procedures on request.

PLAN Australia Aggregation Services

We receive services to support the broking services we give you. We receive mortgage aggregation services from PLAN Australia Aggregation Services. Sometimes they collect personal information about customers to manage customer enquiries or complaints, commission payments or file reviews.

If you want to find out how they manage your personal information, please click on the link below:

<http://www.planaustralia.com.au/privacy-policy>

Other Things You Should Know

If we arrange a loan for you to purchase or refinance real estate, you should make your own enquiries about the value of the real estate and its potential for future growth. Although we may obtain a valuation, that is for our own use and you should not rely on it.

You should ensure that you have approved finance before entering a binding contract to purchase.

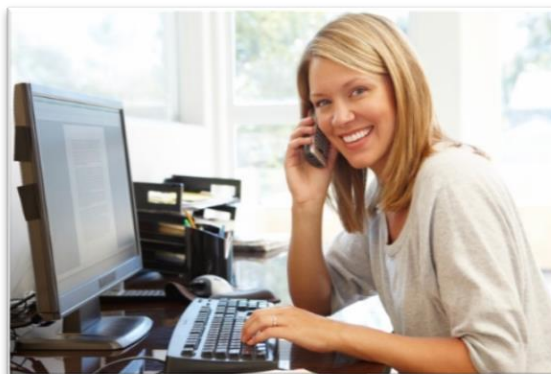
We don't provide legal advice. We don't provide financial advice unless specified in a separate contract. It is important that you understand your legal obligations under the loan, and the financial consequences.

Before you accept your loan offer, make sure you read the credit contract/loan agreement carefully to understand full details of the loan. If you have any doubts, you should obtain independent legal and financial advice before you enter any loan contract.

We represent lenders and have obligations to them, in particular not to provide any information we know is misleading or deceptive. We also have obligations under the law to report any fraud, forgery, or other illegal activities. Before using our services, it is important that you understand that we have these obligations to lenders and under the law.

Questions?

If you have any questions about this Credit Guide or anything else about our services, just ask at any time. We're here to help you.



Privacy Policy

Our commitment to protect your privacy

We understand how important it is to protect your personal information. This document sets out our privacy policy commitment in respect of personal information we hold about you and what we do with that information.

We recognise that any personal information we collect about you will only be used for the purposes we have collected it or as allowed under the law. It is important to us that you are confident that any personal information we hold about you will be treated in a way which ensures protection of your personal information.

Our commitment in respect of personal information is to abide by the Australian Privacy Principles (APPs) for the protection of personal information, as set out in the Privacy Act and any other relevant law. You can obtain information about the APPs and your privacy rights at the Office of the Australian Information Commissioner website at www.oaic.gov.au

Personal information

When we refer to **personal information** we mean information from which your identity is reasonably apparent. This information may include information or an opinion about you. The personal information we hold about you may also include financial information or credit information.

The kinds of personal information we may collect about you include your name, date of birth, address, account details, occupation, copies of driver's licence and/or passport, and any other information we may need to identify you. If you are applying for finance we may also collect the ages and number of your dependants and cohabitants, the length of time at your current address, your employment details and proof of earnings and expenses.

Credit information is information which is used to assess your eligibility to be provided with finance and may include any finance that you have outstanding, your repayment history in respect of those loans, and any defaults, details of your assets and liabilities, and details of your income and commitments. Usually, credit information is exchanged between credit and finance providers and credit reporting bodies.

Financial Information includes all the areas listed above for Credit Information, and also details of investments, superannuation, insurances and estate planning documents.

Health Information. If you apply for any insurance product through us, we may also collect your health information. We will only collect health information from you with your consent.

Why we collect your personal information

We collect personal information for a variety of purposes, including:

- To comply with legislation;
- Providing financial planning advice to you;
- Assessing your application for finance and managing that finance application with banks and other financial institutions on your behalf;
- Preparing your income tax returns;
- Preparing your business activity statements;
- Assisting you apply for superannuation, insurance or investment products;
- Maintaining your investment portfolio records; and
- Assisting you brief your solicitor in respect of estate planning needs.

We may also collect your personal information for the purposes of direct marketing and managing our relationship with you. From time to time we may offer you other products and services.

How do we collect your personal information?

Where reasonable and practical we will collect your personal information directly from you. We may also collect your personal information from other people with your consent, or from publicly available records.

Do we disclose your personal information?

We may disclose your personal information to the following persons or entities:

- The Australian Taxation Office;
- Where we are authorised or required to do so by law, such as under the *Anti-Money or Laundering and Counter Terrorism Financing Act 2006* (Cth);
- Any person or organisation as required under Court Order;
- CPA Australia, the Financial Planning Association, the Self-Managed Superannuation Professionals Association, Australian Securities & Investments Commission, on request for their inspection to ensure ongoing compliance with mandatory professional standards and legal obligations;
- Interprac Financial Planning Pty Ltd and the Professional Lenders Association of Australia (or such other entity we are members or representatives of from time to time);
- Superannuation fund trustees, insurance providers and product issuers for the purpose of giving effect to your financial plan and the recommendations made by us;

- Lenders in respect of finance applications on your behalf;
- Software suppliers in respect of software we use to deliver our services to you;
- Administrative service providers in respect of your investments to assist them in reporting, providing distributions, and other administrative tasks relating to your investments;
- To any other person or organisation where you have provided your written or verbal consent; and
- In circumstances otherwise authorised by the APPs.

Prior to disclosing any of your personal information to another person or organisation, we will take all reasonable steps to satisfy ourselves that:

- a) The person or organisation has a commitment to protecting your personal information at least equal to our commitment, or
- b) You have consented to us making the disclosure.

We may use cloud storage to store the personal information we hold about you. The cloud storage and the IT servers may be located outside Australia.

We may disclose your personal information to overseas entities that provide support functions to us. You may obtain more information about these entities by contacting us.

Direct marketing

From time to time we may use your personal information to provide you with current information about finance, offers you may find of interest, changes to our organisation, or new products or services being offered by us or any company with whom we are associated.

If you do not wish to receive marketing information, you may at any time decline to receive such information by telephoning us on 02 4934 8844 or by writing to us at PO Box 16, Karuah NSW 2324. If the direct marketing is by email you may also use the unsubscribe function. We will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

Updating your personal information

It is important to us that the personal information we hold about you is accurate and up to date. During the course of our relationship with you we ask you to keep us informed of any changes in your personal information.

If you wish to make any changes to your personal information, you may contact us. We will generally rely on you to ensure the information we hold about you is accurate or complete.

Access and correction to your personal information

We will provide you with access to the personal information we hold about you. You may request access to any of the personal information we hold about you at any time.

We may charge a fee for our costs of retrieving and supplying the information to you.

Depending on the type of request that you make we may respond to your request immediately, otherwise we usually respond to you within seven days of receiving your request. We may need to contact other entities to properly investigate your request.

There may be situations where we are not required to provide you with access to your personal information, for example, if the information relates to existing or anticipated legal proceedings, or if your request is vexatious.

An explanation will be provided to you if we deny you access to the personal information we hold about you.

If any of the personal information we hold about you is incorrect, inaccurate or out of date you may request that we correct the information. If appropriate we will correct the personal information at the time of the request otherwise, we will provide an initial response to you within seven days of receiving your request. Where reasonable, and after our investigation, we will provide you with details about whether we have corrected the personal information within 30 days.

We may need to consult with other entities as part of our investigation.

If we refuse to correct personal information we will provide you with our reasons for not correcting the information.

Using government identifiers

If we collect government identifiers, such as your tax file number, we do not use or disclose this information other than authorised or required by law. We will never use a government identifier in order to identify you.

Business without identifying you

In most circumstances it will be necessary for us to identify you in order to successfully do business with you, however, where it is lawful and practicable to do so, we will offer you the opportunity of doing business with us without providing us with personal information, for example, if you make general inquiries about interest rates or current promotional offers.

Sensitive information

We will only collect sensitive information about you with your consent. Sensitive information is personal information that includes information relating to your racial or ethnic origin, political persuasion, memberships in trade or professional associations or trade unions, sexual preferences, criminal record, or health.

How safe and secure is your personal information that we hold?

We will take reasonable steps to protect your personal information by storing it in a secure environment. We may store your personal information in paper and electronic form.

We will also take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

We treat your personal information at all times as confidential and any sensitive information as highly confidential.

Access to our premises is controlled by allowing only authorised personnel to access the premises. All electronically held information is protected through the use of access passwords on each computer and firewalls are in place. Data is backed up each evening and stored securely off site.

Complaints

If you are dissatisfied with how we have dealt with your personal information, or you have a complaint about our compliance with the Privacy Act, you may contact our complaints officer on 02 4934 8844.

We will acknowledge your complaint within seven days. We will provide you with a decision on your complaint within 30 days.

If you are dissatisfied with the response of our complaints officer you may make a complaint to the Privacy Commissioner which can be contacted via the Office of the Australian Information Commissioner website (www.oaic.gov.au) or on 1300 363 992.

Change in our privacy policy

We regularly review our policies and attempt to keep up to date with market expectations. Technology is constantly changing, as is the law and market place practices. As a consequence, we may change this privacy policy from time to time or as the need arises.

You may request this privacy policy in an alternative form.

This Privacy Policy came into existence on 18 March 2018.

Further information

You may request further information about the way we manage your personal information by contacting us.

Other Services We Provide

Taxation and Accounting Services

The professional qualifications and wide ranging experience Stuart Fitzpatrick holds extends the range of service areas he can offer you well beyond the range of services most finance brokers can provide.

Other services Stuart Fitzpatrick and Excel Financial Advisors can provide advice on as an accountant and registered tax agent include:

- Accounting and business compliance;
- Tax Advice and Tax Planning;
- Tax Returns;
- Business Planning and Advice;
- Property Investment Advice;
- SMSF Compliance;
- SMSF Cloud Based Administration.

These services are provided under separate licences or accreditations held by **Stuart Fitzpatrick** or **Excel Financial Advisors Pty Ltd**.

Financial Services

The financial services and products which **Stuart Fitzpatrick** and Excel Financial Advisors can provide advice on as an Authorised Representative of InterPrac Financial Planning comprise:

- Deposit Products;
- Managed Investment Schemes including Unit Trusts, Investment Bonds, Direct Shares, Property Trusts, Growth Funds, Balanced Funds, Indexed Funds and Cash Management Accounts;
- Share Market Investments;
- Tax Effective Investments;
- Superannuation, including Allocated Pensions, Rollovers, Personal Superannuation, Company Superannuation and Self Managed Superannuation Funds;
- Retirement Planning including aged care and estate planning;
- Life Insurance Products, including Annuities, Term Insurance, Income Protection, Trauma and Total and Permanent Disability Insurance;
- Margin Lending.

These services are provided by Excel Financial Advisors Pty Ltd as Corporate Authorised Representative No: 288993 and Stuart Fitzpatrick as Authorised Representative No: 288994 of InterPrac Financial Planning Pty Ltd – AFSL No: 246638.

Please ask us for a copy of the InterPrac Pty Ltd Financial Services Guide for more information. To download a copy, please click [here](#).