



AG WAREHOUSE PTY LTD

ABN 57 004 515 744
Freshwater Place, Level 15, 2 Southbank Boulevard
Southbank, Victoria, 3006, Australia

Credit Application Terms

1. Ag Warehouse Pty Ltd ABN 57 004 515 744 (AGW) reserves the right to accept or reject this application for credit (Application) in its absolute discretion.
2. Subject to acceptance by AGW of this Application, the Applicant agrees that the terms set out below and in AGW's "Terms of Sale" provided with this Application (together, the **Credit Terms**) will apply to the provision of credit and the sale of Goods or supply of Services to the Applicant. The Applicant has read and understood the Credit Terms, agrees to abide by the Credit Terms as amended from time to time, and acknowledges that the Credit Terms override any inconsistent terms and conditions of the Applicant (or Customer).
3. AGW may:
 - (a) cease providing further credit at any time without prior notice; or
 - (b) extend additional credit to Applicant from time to time at its sole discretion.
4. Applicant declares information provided on this Application is true, complete and correct. The Applicant acknowledges that AGW has relied on that information in determining whether or not to extend credit to the Applicant.
5. Applicant acknowledges having read, and each person who signs this application below in his or her individual capacity also acknowledges having read:
 - (a) Saputo Dairy Australia Pty Ltd's privacy statement (which applies to AGW and a copy of which can be accessed at <https://www.saputodairyaustralia.com.au/en/privacy-statement>), which sets out how AGW collects, uses, holds and discloses personal information; and
 - (b) AGW's credit reporting collection statement (set out below in this Section D (Credit Application Terms)), which sets out how AGW collects, uses, holds and discloses credit-related information,and agrees to provide a copy of those statements to each of the persons named in Sections B, F and G of this Application.
6. Applicant consents to AGW's collection, use, holding and disclosure of personal information and credit-related information (as that term is defined below at clause 14) about them as set out in Saputo Dairy Australia's privacy statement and credit reporting collection statement.
7. The Applicant authorises its bank, accountant and trade referee to release information to assist AGW in considering this application.
8. Applicant consents to the disclosure by AGW of credit-related information relating to it to any guarantors nominated in section G of this Application.
9. Applicant authorises AGW to make any additional periodical checks that AGW thinks fit with regard to the continuing capacity of the Applicant to pay for Goods or Services.
10. Each person who signs this Application (**Signatory**) in his or her individual capacity:
 - (a) consents to AGW's collection, use, holding and disclosure of personal information and credit-related information about the Signatory as described in AGW's privacy statement and credit reporting collection statement as set out below in this Section D (Credit Application Terms); and
 - (b) agrees AGW may obtain a credit report from a credit reporting body about the Signatory's consumer and/or

commercial creditworthiness as described in Saputo Dairy Australia Pty Ltd's privacy statement and credit reporting collection statement as set out below in this Section D (Credit Application Terms). AGW may use this report for the purpose of assessing the creditworthiness of the Applicant (and, if applicable, the Signatory's suitability as a guarantor of any credit provided to the Applicant) and for collecting (or engaging any third party to collect) any overdue payments under the Credit Terms as defined above.

11. Words not otherwise defined in this Application shall have the same meaning as in the Terms of Sale and "Applicant" means the applicant for credit.

Privacy and Credit Reporting

12. The Applicant's information is being collected by AGW. The Applicant can contact AGW via email at sda_privacy.officer@saputo.com or by telephone on (03) 9040 5000.

Privacy Statement

13. AGW collects, uses, holds and discloses personal information about and collected in connection with the Applicant and this Application in accordance with Saputo Dairy Australia Pty Ltd's privacy statement, which applies to AGW and a copy of which can be accessed at <http://www.saputodairyaustralia.com.au/en/privacy-statement>.

Credit Reporting Collection Statement

14. In this statement, "**credit-related information**" means credit information, credit eligibility information and CRB derived information as those terms are defined in the Privacy Act 1988 (Cth).
15. AGW collect, use, hold and disclose credit-related information about the Applicant for the purposes of assessing the Applicant's creditworthiness (or the creditworthiness of the Applicant's related company or other entity) in connection with an application for credit that has been made to AGW, and the Applicant expressly consents to AGW undertaking a consumer and/or commercial credit check on the Applicant, its directors, shareholders, partners or other authorised representatives in connection with any credit to be provided to the Applicant (or to the Applicant's related company or other entity) or any credit which the Applicant agrees to guarantee. If the Applicant offers to, or AGW requests that the Applicant, guarantee any credit provided to the Applicant's related company or other entity, AGW may use the Applicant's credit-related information to assess the Applicant's suitability as a guarantor of that credit. AGW may also obtain a credit rating or credit assessment score about the Applicant from a credit reporting body and/or derive our own score, and then use this score in assessing the Applicant's creditworthiness for the purposes listed above. If the application is successful, AGW may also use the Applicant's credit-related information to manage AGW's business or other relationship with the Applicant (or the Applicant's related company or other entity) and to arrange payment for the products and services that we supply (including to enforce any guarantees if applicable).
16. AGW may collect credit-related information about the Applicant from the credit reporting bodies that AGW deals with and from other credit providers who have provided credit to the Applicant. The Applicant consents to any credit reporting body or credit provider providing personal information and credit-



- related information about it to AGW for the purpose of assessing this Application and the Applicant's creditworthiness. AGW may use and hold this credit-related information in order to conduct a credit assessment on the Applicant and to decide whether to provide the Applicant (or the Applicant's related company or other entity) with products and services on credit. AGW may also conduct searches of publicly available information relating to the Applicant, or make informal enquiries of the Applicant's trade creditors, in order to determine who else may provide credit to the Applicant. AGW may then contact these other credit providers and collect credit-related information and other information about the Applicant from them. If requested, AGW may also disclose credit-related information that AGW holds about the Applicant to these other credit providers.
17. AGW may disclose the Applicant's credit-related information to our related companies and to third parties, including debt collectors, credit management agencies, other credit providers, credit reporting bodies and to government bodies and regulatory authorities (where required or authorised by law). AGW may also disclose the Applicant's information to third party service providers who provide services to AGW or who provide services to the Applicant on our behalf. Some of these third parties may be located in one or more overseas countries or hold this information in overseas countries, including in New Zealand.
 18. The credit reporting bodies that AGW may disclose the Applicant's information to are:
 - (a) illion Australia Pty Ltd (see <https://www.illion.com.au> for contact details); and
 - (b) Equifax Australia Information Services and Solutions Pty Limited (see <https://www.mycreditfile.com.au> for contact details).
 19. Credit reporting bodies collect credit-related information about individuals from a range of sources to provide credit reports about these individuals to their customers (including AGW). Where AGW provides the Applicant's credit-related information to these credit reporting bodies, they may include this information in reports that they subsequently provide about the Applicant to other credit providers in order

- to assist those entities to assess the Applicant's credit worthiness. The Applicant has a right to obtain a copy of the credit reporting policies of any credit reporting bodies that AGW discloses the Applicant's credit-related information to. If the Applicant would like to obtain a copy of any of these policies, the Applicant should contact the relevant credit reporting body directly using the contact details set out above.
20. If the Applicant (or the Applicant's related company or other entity) do not pay for AGW products and services in accordance with AGW's agreement with the Applicant, if the Applicant (or the Applicant's related company or other entity) defraud AGW or try to do so, or if the Applicant (or the Applicant's related company or other entity) otherwise commit a serious credit infringement, AGW may disclose details of these defaults to the credit reporting bodies that AGW deals with. This may affect the Applicant's ability to obtain a loan or other credit in the future.
 21. The Applicant has a right to access the credit-related information that AGW holds about it, to correct that credit-related information and to make a complaint about AGW's handling of the Applicant's credit-related information. Saputo Dairy Australia Pty Ltd's Credit Reporting Policy (which applies to AGW) provides more information on how the Applicant can exercise these rights. This policy may be accessed at <https://www.saputodairyaustralia.com.au/en/credit-reporting-policy>, or the Applicant may obtain a copy in an alternative format by contacting AGW using the details set out in clause 12 above.
 22. The Applicant also has a right to:
 - (a) request that credit reporting bodies do not use any credit-related information held by them for the purposes of pre-screening any direct marketing by credit providers (including AGW); and
 - (b) request that credit reporting bodies do not disclose the Applicant's credit-related information in circumstances where the Applicant reasonably believes that it has been a victim of fraud or identity theft.
 23. If the Applicant would like to make either of these requests, the Applicant should contact the credit reporting bodies using the contact details set out above