



ABN 76 618 661 108
AFSL 499010

First Floor, 239
Lower Heidelberg Road
Ivanhoe East Vic 3079
P O Box 2249
Ivanhoe East Vic 3079
P 03 9497 3396
E info@mfgadvice.com.au
www.mfgadvice.com.au

Prospective Representative Consent to the collection, use, disclosure and storage of information for reference checking purposes

(Prospective Representative/You)

1. We, MFG Advice Pty Ltd AFSL 499010, our related entities and any agent(s) acting on our behalf (*Us/We*), request your consent to collect, use, disclose and store your personal information for the purposes of Us considering your suitability for employment or authorisation by Us.
2. We are seeking your consent to obtain a reference about You for the purposes of Us:
(a) complying with the ASIC Reference Checking and Information Sharing Protocol under the *ASIC Corporations and Credit (Reference Checking and Information Sharing Protocol) Instrument 2024/647* (the *Protocol*); and (b) should You be employed or authorised by Us—complying with the general conduct obligations of a licensee under section 912A of the *Corporations Act 2001* or subsection 47(1) of the *National Consumer Credit Protection Act 2009*, which include taking steps to ensure that a licensee's representatives comply with financial services laws or credit legislation and ensuring that representatives are adequately trained, and are competent, to provide financial services or engage in credit activities.
3. The personal information (*Information*) that may be collected, used, disclosed and stored by Us is likely to include, but is not limited to, information in relation to:
(a) (*where representative of a licensee*) the scope and length of your employment or authorisation by a financial services licensee or credit licensee;
(b) (*where You are the licensee*) the services or activities authorised by your financial services or credit licence and the length of time you have held the licence;
(c) (*where mortgage broker in relation to mortgage aggregator*) the scope and length of any arrangement under which a mortgage intermediary (i.e. a mortgage aggregator) acted as an intermediary in relation to You;
(d) your conduct in relation to financial services or credit activities authorised by your licence; or while you were employed or Authorised Version F2024L00996 registered 19/08/2024 *ASIC Corporations and Credit (Reference Checking and Information Sharing Protocol) Instrument 2024/647* authorised by the licensee; or while the mortgage intermediary acted as an intermediary in relation to You;
(e) the circumstances surrounding your departure from the licensee or the cessation of the arrangement with the mortgage intermediary;
(f) your compliance audit record, including the results or outcomes of compliance audits;
(g) compensation that was given to a client either as a financial payment offered to a client or any other non-financial remedy given to a client, as a result of your activities;
(h) ASIC reportable breaches or reportable situations caused or contributed to by You;
(i) details of written warnings or reprimands relating to You, given by ASIC or the Financial Services and Credit Panel to a financial services licensee under subsection 921S(2) or 921T(2) of the *Corporations Act 2001*, or instruments given by the Financial Services and Credit Panel to a financial services licensee under subsection 921M(1) of the *Corporations Act 2001*;
(j) details of any unresolved inquiry or investigation concerning your conduct in progress at the time that the reference is given; and
(k) any clarification or updates relating to the matters reported in the reference for a period of up to 6 months commencing after the day on which the reference is given.
4. We will collect this Information from referee licensees, being: (a) (*where representative of a licensee*) one or more of the current and former licensees for whom You are or were a representative in the preceding 5 years;
(b) (*where You are a licensee*) You; and
(c) (*where mortgage broker in relation to mortgage aggregator*) one or more of the current or former mortgage intermediaries who acted as an intermediary in relation to You in the preceding 5 years.
5. The information we collect will only relate to the five-year period before the information is shared.

6. Information collected by Us will be collected, used, disclosed and stored by Us for the purposes described above, unless use or disclosure is required or authorised by law, including the *Privacy Act 1988* (Cth), or You consent to the collection, use, disclosure or storage for a different purpose.
7. Information collected by Us will be collected, used and disclosed for a period of 12 months commencing after the day You give consent, for the purposes described above, unless You have notified Us in writing that You withdraw this Consent. Unless it is withdrawn earlier, this Consent will cease at the end of that 12-month period.
8. Information collected by Us will be stored for 5 years in accordance with the Protocol.

Declaration of Prospective Representative:

I declare that I have read and understood the content of this consent form and consent to the collection, use and disclosure of this Information for a period of up to 12 months by MFG Advice Pty Ltd, or until you are notified in writing that I have withdrawn it, whichever occur earlier.

I acknowledge that the defence of qualified privilege applies when a referee licensee shares Information in accordance with the Protocol. Licensees have a defence of qualified privilege against a defamation action or a breach of confidence action resulting from information shared in the course of complying with their obligations under the Protocol.

Note: This defence does not apply to any information a referee licensee shares with Us that they are not obliged to give under the Protocol (e.g. information about conduct that occurred more than 5 years before the reference was given or information that is additional to that required under the Protocol, including any further background checking we may undertake on You).

I understand that the Information collected will be stored for 5 years in accordance with the Protocol.

Full name (print):

Date of birth:

ASIC reference number:

Signature:

Date:
