



AUSFINANCIAL Pty Ltd  
ABN: 67 1 18 176 631 - Australian Credit Licence: 387993  
Phone: (07) 3319 1009  
Postal Address: PO Box 460, Springwood, QLD 4127

## TARGET MARKET DETERMINATION

### Personal Loan Contracts

#### DATE

The date from which this TMD is effective is 5 October 2022.

#### INTRODUCTION

This document is intended to comply with our obligations under the Treasury Laws Amendment (Design and Distribution Obligations and Product Intervention Powers) Act 2019, which requires the determination of a target market for our products, and associated purposes. It will give the consumer assistance in determining whether the product is aimed at them, whilst at the same time allowing us to gauge whether the products are meeting their intended market. This document is called the Target Market Determination, hereinafter referred to as "TMD".

It is also intended to provide consumers, and where appropriate, distributors with an understanding of the class of consumers for which the product has been designed. It takes into account the objectives, needs and financial situation of those members of the target market.

This TMD is not intended to replace other documents related to the products provided by us which set out the terms and conditions relating to the product upon which we expect you to rely when making a decision about applying for the product, including, and in particular, the contract document which will be sent to you prior to you entering into an agreement with us.

#### PRODUCT

The product to which the TMD relates is the **Personal Loan Contract** ("personal loan") offered by us, that is, loans in which:-

- the amount borrowed is between \$2,001 and \$40,000.00, and
- the personal loan is able to be secured over any chattel able to be registered on the Personal Property Securities Register.

These loans are not small amount credit contracts or medium amount credit contract as those terms are defined in the National Consumer Credit Protection Act.

#### TARGET MARKET

The personal loans have been designed for consumers who are individuals and:

1. require a regulated consumer loan of an amount of between \$2,001.00 and \$40,000.00 for any legal purpose;
2. can provide adequate security which can be registered on the Personal Property Securities Register;
3. require a loan term between 12 to 60 months;

4. require a fixed interest rate; and
5. can afford to repay the loan and all fees and charges associated with the loan;

The key attributes of the personal loan product is as follows:

1. a minimum loan amount of \$2,001;
2. a maximum loan amount of \$40,000 including upfront fees and charges;
3. a fixed interest rate for the whole of the loan term;
4. regular repayments of a set amount from the start of the loan including principal and interest; and
5. the loan term will be between 12 to 60 months.

The key attributes of the personal loan make the product appropriate for:

1. individuals who are seeking a loan for any legal personal purpose;
2. individuals who require a loan between \$2,001 up to a maximum of \$40,000 (including upfront fees);
3. individuals who are able to provide security for the loan;
4. individuals who require certainty around the amount of interest they will be charged, the amount and frequency of their repayments;
5. individuals who can afford the loan and the upfront and ongoing fees and charges; and
6. individuals who want to repay their loan over a loan term of between 12 to 60 months.

#### **CONDITIONS AND RESTRICTIONS ON SUPPLY**

The personal loans have not been designed for any consumer:

1. who is not of legal capacity;
2. who is in financial hardship (or who in our opinion is likely to be so within the foreseeable future);
3. who cannot provide suitable security;
4. who does not presently have the capacity to repay the loan within an acceptable period, being variously between 12 and 60 months, or
5. where the loan, if provided, would not meet the consumer's requirements or objectives.

#### **HOW WILL WE KNOW IF THE PRODUCT IS NOT MEETING THE TARGET?**

Based on the description of the target market above, we believe that it is unlikely that the product will not meet the target market. Nevertheless, we will maintain a watch on the consumers who access the loans to ensure that the majority are within the target market. If they are not, we will review the product and change its key attributes to ensure that the target

market is met.

## **DISTRIBUTION**

It is intended that the method of distribution to consumers in one of two ways:

### **1. Direct.**

Distribution by this method will be primarily through our website or our sales team.

All employees involved in this form of distribution are required to undergo training and to ask consumers qualifying questions as part of the application to ensure that borrowers are within the target market set out in this document.

### **2. Third party distributors.**

After entering into appropriate arrangements with third party distributors (including accreditation and training), we will allow those distributors to initiate the supply of our product to consumers.

Those distributors must:

- Be the holder of any necessary licence or authorisation required under the National Consumer Credit Protection Act 2009 or any similar legislation;
- Be adequately trained and accredited to our satisfaction;
- Ensure that any application submitted by a distributor complies with all our policies and procedures;
- Ensure that the distribution of this product is consistent with the needs, objectives and financial situation defined in the target market for this product;
- Ensure that the consumer seeking this product is willing and able to pay the fees associated with this product to access this product; and
- Maintain adequate records for reporting purposes.

Distributors must report to us quarterly as follows:-

**Complaints:** any complaint received by the distributor in relation to our product or our performance in dealing with the consumer within 10 business days of receiving the complaint. The information to us must include sufficient details to enable us to identify and contact the consumer, and the content of the complaint.

**Significant dealings:** if the Distributor believes that a significant number of consumers who obtain the product fall outside the target market, details of the significant dealings including the date or date range, and details of the dealing. The information must be provided to us within 10 business days after the person becomes aware of the significant dealing.

## **REVIEW**

We will review this TMD on the occurrence of any of the following triggering events:

- on there being a relevant amendment to National Consumer Credit Protection Act or any associated Act or Regulation which has the effect of significantly altering the rules relating to the provision of personal loans;
- on the occurrence of a “significant dealing”. We will consider whether there has been a significant dealing:
  - where a significant proportion of consumers who take out a personal loan are not in the target market;
  - where there is actual or potential harm to those consumers who are not in the target market;
  - the extent to which the income gained from those outside the target market is different to those within the target market;
  - the period of time over which those outside the target market took out personal loans;
- on the occurrence of any of the following events:
  - there is a material change in the product or its distribution;
  - we receive consistent feedback from distributors that the target market or product may no longer be appropriate;
  - there is a significant increase in the number of consumers who make complaints, either internally or via the Australian Financial Complaints Authority regarding this product. The reporting period for this determination is quarterly during each calendar year:
    - first reporting period ending on 31 March;
    - second reporting period ending on 30 June;
    - third reporting period ending on 30 September;
    - fourth reporting period ending on 31 December.
  - we receive notification from the Australian Securities and Investments Commission requiring us to cease distribution of this product or cease particular conduct pertaining to this product.

We will review this TMD periodically to ensure that it remains appropriate.

An ongoing review of this TMD will be conducted within 12 months from the date of the last review.