

How can I clear my credit report?

by Consumer Action - Friday, March 18, 2016

<https://help.consumeraction.org.au/credit-reporting-correcting-mistakes/>

Key message

You have a right to have inaccurate information on your credit report corrected free of charge. Significant changes to the information that can be contained on your credit report occurred on 12 March 2014. For more information see <http://creditsmart.org.au/what-has-changed>

Can I have mistakes corrected in my credit report?

Yes. The *Privacy Act 1988 (Cth)* states that you have the right to obtain a correction on your credit report for any inaccurate, out-of-date, incomplete, irrelevant or misleading information. You can do this free of charge.

How can I find out what is in my credit report?

Credit reporting bodies create and hold credit reports. Credit reporting bodies include: Equifax (formerly Veda Advantage), Dun & Bradstreet and Experian Credit Services Australia.

There are a number of ways to find out what is in your credit report. You have the right:

- To obtain a free copy of your credit report. A credit reporting body cannot charge for this, unless you obtained a copy of your credit report from them in the previous 12 months;
- To obtain a free copy of your credit report within 90 days of having an application for credit rejected;
- To be informed by a credit provider the reason for a loan refusal.

For more information see: [Credit reporting – getting a free copy of your credit report](#)

What laws apply?

The *Privacy Act 1988 (Cth)* set out the law in relation to information held about you on your credit report. The *Credit Reporting Privacy Code* sets out the ways that this information is listed on your credit report.

The [Office of the Australian Information Commissioner](#) (the **Commissioner**) has responsibility for ensuring these laws are followed.

Who can list information on my credit report?

Creditors include banks and finance companies or other businesses which provide credit or goods and services at least 7 days before you have to pay for them. Electricity and phone companies can all list information on your credit report.

What information can be put on my credit report?

Only certain information can be listed on your credit report. This includes:

- credit enquiries;
- defaults listings of more than \$150, as long as you have received certain notices;
- court judgments if it relates to consumer credit products, such as judgments relating to loans;
- bankruptcy and debt agreement information; and
- repayment history information (but not from telco's or utility providers).

Repayment History Information

Repayment History Information shows whether you pay your loans on time. Every month, your credit provider can make a record on your credit report showing that you paid on time, didn't pay, or paid late. You may be listed as paying late even if you are only fourteen days late. Your credit report can list late payments for up to two years, even if you are no longer behind in payments. Repayment History Information can only be listed by a credit provider and not by utilities or telecommunications providers

Judgments or Acts of bankruptcy

If you dispute a listing that comes from the public record, such as a judgment or act of bankruptcy, you would need to have the public record details changed to have the listing removed from your credit report. Credit reporting agencies obtain court judgment and bankruptcy information directly from the Courts and the Australian Financial Security Authority records. This might involve having the court judgment set aside.

What if I have paid the debt or dispute the debt?

If you have paid a debt that has been listed on your report as a default (unpaid or paid overdue), the creditor must advise the credit reporting body to have the listing noted as "paid" or "settled". However, default listings are not removed just because you pay the debt. In some instances the credit provider may agree to remove the default listing altogether if you pay or settle the debt.

Having "paid" noted on your credit report does not "fix" your report. A creditor might still refuse to lend to you because the default listing remains. Depending on the type of debt that the default relates to, a new creditor may still agree to give you credit if the past debt is paid. You will need to discuss this with the new creditor.

How do I get my credit report changed if it is incorrect?

If you believe your credit report contains any inaccurate, out-of-date, incomplete, irrelevant or misleading

information, you can take the following steps to have it corrected.

Step 1: complain to your current credit provider, the listing creditor or credit reporting body

Credit reporting bodies and creditors are required to deal with your complaint and cannot refer it to someone else. Even if you don't know who has put the information on your credit report, you can complain to any credit reporting body or creditor.

If you send a complaint to a credit reporting body, make sure you also send a copy to any relevant creditor. Remember to date, sign and keep a copy of your letter.

If a credit reporting body or credit provider refuses to correct your credit file, they must provide the reasons why and evidence proving the correctness of the information. If you are not happy with the result of step 1, you can take step 2.

Step 2: complain to the Ombudsman scheme or the Commissioner

Credit reporting bodies and creditors are required to be a member of a free and independent dispute resolution service called an Ombudsman service. Ombudsman schemes include the Australian Financial Complaints Authority, Energy and Water Ombudsman Victoria and the Telecommunications Industry Ombudsman.

You can make a complaint to the relevant ombudsman scheme to which the credit reporting body or credit provider is a member.

A complaint can be made to the Commissioner if you are not satisfied with the response of a credit reporting body, credit provider or Ombudsman scheme. However, the Commissioner can refuse to hear a complaint if it has already been heard by an industry ombudsman scheme, or, if you haven't first complained to a credit reporting body or creditor.

Credit repair companies

There are a number of credit repair companies operating in Australia. These companies charge a fee for their services. You can have your credit report corrected for free and get free assistance from Ombudsman Services and from the Commissioner.

Sample letter to creditor or credit report agency

This sample [letter](#) can be used as a guide to ask a creditor or credit-reporting agency to remove a listing from your credit file. You will need to rewrite the letter choosing the paragraphs that are applicable to your situation.

Further information

Equifax (formerly Veda Advantage)

www.equifax.com.au

Ph: 1300 762 207

Address for written complaints:

Level 15

100 Arthur Street

NORTH SYDNEY NSW 2060

Email: edr.escalations.au@equifax.com

Dun & Bradstreet

www.dnb.com/au

Ph: 13 23 33 and ask Customer Service to send you an Application for a Personal Credit Report form or download the form on the Dun & Bradstreet website.

Send the completed form to:

Dun & Bradstreet (Australia) Pty Ltd

Attention: Public Access Centre

PO Box 7405 St Kilda Road

Melbourne VIC 3004

Fax : 03 9828 3118

Email pac.austral@dnb.com.au

Experian Credit Services Australia

<http://www.experian.com.au>

Experian Australia Credit Services, GPO Box 1969 North Sydney, NSW 2060

Office of the Australian Information Commissioner (to contact the Privacy Commissioner)

www.oaic.gov.au

Ph: 1300 363 992 (Privacy Hotline)

Australian Financial Complaints Authority

Tel: 1800 931 678

www.afca.org.au

Energy & Water Ombudsman (Victoria)

Tel: 1800 500 509

www.ewov.com.au

Telecommunications Ombudsman

Tel: 1800 062 058

www.tio.com.au

You can download a PDF version of this report on [correcting mistakes on your credit report](#)

Warning: This fact sheet is intended as a guide to the law and should not be used as a substitute for legal advice. This information applies only in Victoria and reflects the law as at 31 December 2015.

[1] Most creditors are members of Ombudsman Schemes including those who provide credit to consumers (Australian Financial Complaints Authority), telecommunications companies (Telecommunications Industry Ombudsman) or Electricity, Gas and Water providers (Energy and Water Ombudsman Victoria).

Image from [401\(K\) 2012](#)