## **GENERAL CONDITIONS (CONSUMER) - NOVEMBER 2021**



entered into by the Customer or a Guarantor in favour of the Creditor from time

"security interest" means:

- (a) any right or interest of any kind given by way of security (including, for
- example, a mortgage, pledge, lien, charge or assignment); any other arrangement (including any preferential, trust, title retention or set-off arrangement) having a similar commercial effect as a grant of security; or (c) a guarantee or indemnity;
- "Transaction Document" means any of the following:
  (a) any Facility Agreement;
  (b) these General Conditions;

- UDC's Privacy Statement; any document under which a Security is given; and any other document required in connection with a Transaction Document or agreed by the parties to be a Transaction Document;

"upon demand" means immediately after the Creditor has given a notice to the relevant person requiring the action specified in that notice; and "UDC's Privacy Statement" means the UDC Privacy Statement in effect from

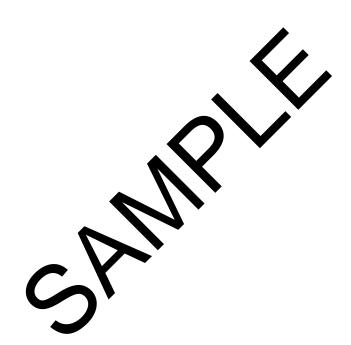
time to time, a copy of which is available on request or on line at www.udc.co.nz.

- **Definitions from the CCCFA:** The following terms defined in the CCCFA and Definitions from the CCCFA: The following terms defined in the CCCFA and used in these General Conditions have the meanings given to them in the CCCFA, unless the context otherwise requires: "consumer credit contract", "electronic", "electronic communication", "full prepayment", "part prepayment", "payment" and "unpaid balance".

  Construction: In these General Conditions, unless the context otherwise
- - Provisions about companies: section 2(3) of the Companies Act 1993 will be applied to determine whether one company is related to another; and Customer more than one person: if a Customer or Guarantor is made up of
  - more than one person:
    (i) the liability of those persons under the Transaction Documents is

    - joint and several; and a reference to "the Customer" or "the Guarantor" (as the case may be) includes a reference to each of those persons individually and to
- any two or more of them together.

  If any of the terms of a Facility Agreement are inconsistent with the terms of these General Conditions, to the extent of such inconsistency, the terms of the Facility Agreement will prevail.
- If any of the terms of a Security Agreement are inconsistent with the terms of these General Conditions, to the extent of such inconsistency, the terms of the Security Agreement will prevail.



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