



PRIVACY POLICY

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Review

Owner	Reviewed by	Date	Next Reviewed Date
Compliance Officer	Elizabeth Ginever	November 2020	October 2021

Version Control

Author/Contributor	Version	Date	Comments
Elizabeth Ginever	Final v1.0	21/01/2020	Final for review and approval by the Board.
Elizabeth Ginever	Final v1.1	22/10/2020	Update policy for Privacy Act 2020 requirements.
Elizabeth Ginever	Final v1.2	16/11/2020	Minor update, added AML/CFT audit

1. Overview

This Privacy Policy (**Policy**) sets out how Financial Services Compliance Limited (**Complianz**) handles personal information in accordance with the Information Privacy Principles of the Privacy Act 1993 and its replacement Privacy Act 2020 (**Privacy Act**). Complianz collects and holds personal information of clients in accordance with this Policy.

This Policy also describes the procedure for requesting access to and correction of personal information and for making a complaint to the Privacy Officer of Complianz.

This Policy applies to all documents and interactions the Complianz has with its clients.

2. Adoption and Review

2.1. Adoption

The Policy was adopted and approved by the Board on 16 November 2020.

2.2. Review

This policy will be reviewed by the Privacy Officer at least every 12 months. A report of the review, together with recommendations, if any, of the Privacy Officer must be tabled at the next meeting of the Board held after the report is completed.

Complianz will notify clients of changes to the Policy within 14 days of a change being made. Notice of changes will be given by email or other suitable means. This Policy may change from time to time. Please keep up-to-date by visiting Complianz's website: complianz.biz.

3. Responsibility

3.1. Board

The Board is responsible for overall compliance with this Policy.

3.2. Privacy Officer

Under this Policy, the Privacy Officer is responsible for:

- Administering the Policy, gathering information under this Policy and performing investigations as necessary;
- Managing any breaches of the Privacy Act;
- Encouraging Complianz to comply with the information privacy principles;
- Working with the Privacy Commissioner in relation to investigations concerning Complianz;
- Dealing with requests made under the Privacy Act, including for access to and/or correction of personal information; and

- Maintaining a breach file, which includes a register of complaints from clients with regards to personal information and reporting these to the Board if they remain unresolved after 20 working days.

4. Obligations in respect of the Privacy Act

Complianz is defined as an 'agency' under the Privacy Act, because the Complianz collects and holds personal information about other people. Under the Privacy Act there are twelve information privacy principles and this section describes how Complianz meets these principles.

4.1. Personal information that is collected

Complianz collects personal information directly from potential and actual clients and their authorised representatives. The personal information Complianz collects depends on the relationship between Complianz and the client, but could include name, home address, mailing address, email address, phone number, date-of-birth, other relevant identification, financial information, bank account details, gender and nominated beneficiaries.

Complianz only collects personal information for lawful purposes connected with the Complianz's functions and activities, and only where the collection of such information is necessary for those purposes.

You can choose not to provide your personal information to Complianz. However, this will limit the services the Complianz can provide you. If you do not provide Complianz with necessary personal information, Complianz may have to refuse or cease to provide you with products or services.

Complianz also generates personal information about you in the course of operating its business. The personal information the CDF may generate about you includes customer due diligence information, correspondence between Complianz and you or Complianz and other agencies, and file notes, memoranda, and minutes of meetings.

4.2. Method of collection of personal information

Complianz will only collect personal information by lawful means. Wherever possible, Complianz collects personal information directly from the client (or their authorised representative).

Personal information is collected when the client provides information to us, such as when the client provides information for customer due diligence purposes, or requests certain information from the Complianz website. Complianz may also collect personal information from third parties where the client has authorised the relevant collection (eg e-verifier for Complianz to fulfil its obligations to act as an agent and perform customer due diligence.) Complianz may also collect personal information from publicly available sources, or from AML/CFT reporting entities when performing an AML/CFT audit.

Where Complianz collects personal information, it will take reasonable steps (including reference to this Policy) to ensure that you are aware that the:

- (a) information is being collected;
- (b) purpose for which the information is being collected;
- (c) intended recipients of the information;
- (d) name and address of the agencies that are collecting and holding the information;
- (e) collection of the information is authorised or required by or under law, and if so
 - (i) the particular law; and
 - (ii) whether the supply of information is voluntary or mandatory;
- (f) consequences of not providing the information; and
- (g) rights of access to and correction of information

4.3. Purposes of collecting, holding, using and disclosing personal information

Complianz collects, holds, uses and discloses personal information for the purposes of operating its business. These include:

- (a) establishing, administering and promoting a Complianz service;
- (b) communicating with the client;
- (c) conducting research to improve its services
- (d) working with other organisations;
- (e) confirming the identity of clients
- (f) conducting AML/CFT audits; and
- (g) complying with relevant laws and regulations

The client (or their authorised representative) may elect to 'opt out' of receiving certain Complianz communications at any time by (i) unsubscribing from electronic communications or (ii) emailing Complianz at info@complianz.biz.

Complianz is also required to collect certain personal information in order to comply with its legal obligations, including under the following legislation:

- (a) Companies Act 1993;
- (b) Anti-Money Laundering and Countering the Financing of Terrorism Act 2009; and
- (c) Any regulation or legislation enacted or issued in addition, amendment or substitution to any of the above.

4.4. Disclosure of personal information

Complianz will not disclose personal information except in accordance with the Privacy Act. Complianz may disclose personal information to other authorised persons or entities, in accordance with its legal obligations. Those agencies may collect, use, store and disclose personal information for the same or similar purposes as those set out in this Policy. The privacy policies of the e-verifier or reporting entity can be accessed directly via their websites or by phoning them.

Complianz may disclose personal information to:

- (a) agents and contractors that provide services to Complianz or perform functions on Complianz's behalf, including legal advisers, insurers, e-verifiers, website managers, and providers of internet, data storage and data access services;
- (b) reporting entities of whom Complianz is acting an agent of, and who the customer is also a client of;
- (c) anyone else whom the client authorises Complianz to disclose personal information; and
- (d) anyone else required or authorised by law.

Complianz may, from time to time, request clients' (or their personal representatives') consent for Complianz to use and/or disclose personal information for specified purposes. A request for consent (eg via an application form) will be given in an easily understandable and accessible form and includes the purpose for the data processing.

Complianz will ensure that where personal information is disclosed to any person or entity referred to in (a) to (d) above will be contractually bound to use the personal information that is shared with them only to perform the services they have been instructed by Complianz to provide.

4.5. Protection of personal information

Complianz uses such security safeguards as reasonable in the circumstances to protect information from misuse, interference and loss, and from unauthorised access, modification or disclosure. Complianz's precautions include:

- (a) restricting access to personal information stored on Complianz's servers, other files and hard copy documents;
- (b) imposing confidentiality requirements on its employees;
- (c) requiring that its contractors and agents take reasonable steps to protect personal information from misuse, interference and loss, and from unauthorised access, modification or disclosure;
- (d) implementing electronic security systems, such as firewalls;
- (e) ensuring that servers containing client information have security measures such as password protection; and
- (f) controlling access to Complianz's offices.

Complianz uses both manual and cloud-based storage.

Where it is necessary for Complianz to give a person the personal information of another in connection with services provided to Complianz, Complianz does everything reasonably within its power to prevent unauthorised use or disclosure of the information.

4.6. Accuracy of personal information

Complianz aims to ensure that the personal information we keep is accurate, up-to-date, complete, relevant and not misleading.

4.7. Access and correction of personal information

Clients have a right to access and seek correction of personal information that Complianz holds about the client, in accordance with the Privacy Act.

Where information is held in such a way that it can be readily retrieved by Complianz, Complianz will, on request, provide information to the client, in accordance with the Privacy Act. Complianz will not charge the client for making the request or Complianz's response to or action taken under a request.

If the client would like to access or correct personal information, the client may contact Complianz's Privacy Officer via the contact details listed below. Complianz will respond to the request within 20 working days. Complianz may decide to grant or refuse access to or correction of personal information. If Complianz refuses to provide access to or correct the information, it will notify the client of the reasons for refusal to the extent of Complianz's legal obligations. Complianz may also attach a statement of correction to the client file that clearly shows that the individual asked to have the information changed.

4.8. Retention of information

Complianz will not keep personal information for longer than is required for the purposes for which the information may be lawfully used. Complianz is required to hold personal information under legislation such as the Anti-Money Laundering and Countering Financing of Terrorism Act 2009.

If personal information is no longer required, or for any other reason authorised under NZ law, it will be destroyed.

5. Privacy Complaints

If the client believes Complianz has breached the Privacy Act or a registered code that binds Complianz, the client may contact Complianz's Privacy Officer via the contact details listed below. Complianz may request that the client puts the complaint in writing. Complianz will endeavour to resolve the complaint in a reasonable time frame (usually within 20 working days) and may contact the client in order to obtain further details in order to provide the client with a full and complete response. If the client is not satisfied with the manner in which Complianz has handled the complaint, the client can lodge a complaint with the Office of the Privacy Commissioner at www.privacy.org.nz.

6. Privacy Officer Contact Details

In order to access or correct personal information, or to notify Complianz of a breach of the Privacy Act or a registered code or if there is any privacy related inquiry, please contact:

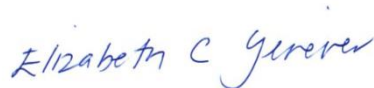
Privacy Officer
Financial Services Compliance Limited
PO Box 300-667
Albany, 0952
New Zealand

Telephone No: 0800 266 751
Email: info@complianz.biz

7. Approval

This is to confirm that this document, the Privacy Policy, is accepted and approved by the Board.

Signature:



Name:

Elizabeth Ginever

Position:

Director

Date:

16 November 2020