

# Privacy Policy

JBWere (NZ) Limited, Margin Lending (NZ) Limited, JBWere (NZ) Nominees Limited, JBWere (NZ) Ltd (together, JBWere and we, us and our) understand and appreciate that you are concerned about the privacy of personal information that JBWere may collect about you.

We are committed to providing you with high quality financial services in a secure and confidential manner in compliance with the Privacy Act 2020.

This policy sets out details on:

- When we collect personal information
- Collecting your personal information
- What personal information we collect
- Using your personal information
- Sharing your personal information
- Protecting your personal information
- Accessing and updating your personal information
- Cookies & Analytics
- Changes to our privacy policy
- Complaints about the handling of your personal information
- How you can contact us

## When we collect personal information

We collect personal information from you:

- When you enter into discussions in relation to becoming a client with us.
- When you enter into our Terms and Conditions and any other related documentation to become our client.
- When you browse our website or use our apps, we will collect the information you enter and upload, and anonymous data during your session (including via the use of cookies). This helps us to improve your experience on subsequent visits.
- When you apply for employment with us.
- When you contact or interact with us.

We may collect your personal information or from third parties (such as service providers we have engaged to help us provide services to you or that you have engaged and authorised to share your information with us) and publicly available sources, including government registers.

We will not collect your personal information if you refuse to provide consent, however this may restrict the services that we are able to provide to you or cause us to suspend or terminate your account.

## What personal information we collect

We attempt to keep our collection of your personal information to what is necessary to help us deliver the services that you have engaged, or are seeking to engage, us to provide. This may include collecting your information to satisfy the legal and regulatory obligations that we have as a financial services provider, including the Financial Markets Conduct Act 2013 (New Zealand), the Financial Service Providers (Registration and Dispute Resolution) Act 2008 (New Zealand), the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (New Zealand), any rules of relevant stock exchanges, and tax legislation such as the Foreign Account Tax Compliance Act 2010 (US).

### Clients and prospective clients

When you enquire about our services or when you become a client of JBWere, a record is made that includes your personal information.

Personal information includes any information that could identify you, such as your name and address, tax details, professional details, transaction records and any unique identifiers assigned to you.

### Prospective employees/applicants

We collect personal information when recruiting personnel, such as your name, title, date of birth, gender, contact details, qualifications, and work history (including references and other information included in a CV or cover letter as part of the application process). Generally, we will collect this information directly from you.

We may also collect personal information from third parties in ways that you would expect (for example, from recruitment agencies or referees you have nominated). Before offering you a position, we may collect additional details such as your tax file number, superannuation information and other information necessary to conduct background checks to determine your suitability for certain positions.

We may also collect relevant information from third-party sources such as LinkedIn and other professional websites.

### Shareholders

We (or a share registry provider we may engage) may also collect information to maintain shareholder information per stock exchange requirements (where applicable), such as:

- The name of the individual shareholder and any trustee.

- Personal details relating to any Power of Attorney (e.g. the attorney's name, address, occupation, date of birth and phone number).
- Bank account details
- Your Security Reference Number (SRN) or Holder Identification Number (HIN).

When we collect personal information from shareholders, we may also use and disclose it for other reasons related to your shareholding, such as identity verification, providing shareholder services, sending you correspondence and documents and responding to complaints or inquiries. We may also use your information to market our products and services, such as exclusive shareholder offers, to you.

#### Other individuals

We may collect personal information about other individuals who are not our clients. This includes members of the public who participate in events we are involved with; individual service providers and contractors; and other individuals who interact with us on a commercial basis. The kinds of personal information we collect will depend on the capacity in which you are dealing with us. Generally, it would include your first and last name, address, e-mail address, telephone number and details of payment mechanism, such as credit card details.

- If you are participating in an event we are managing or delivering, we may take images or audio-visual recordings that identify you.
- In limited circumstances, we may collect information that is considered sensitive information. For example, if you are injured while participating in the services that we provide or at an event promoted or delivered by us, we may collect health information about you in an emergency or otherwise with your consent.

#### Where we receive information about others from you

If you provide us with personal information about someone else, you must ensure that you have their consent to do so (including their consent to JBWere contacting them), so that we may collect, use, and disclose such information for the purposes we have described in this policy.

This means you must take reasonable steps when providing personal information so that the individual concerned is aware of and/or consents to this policy, including that:

- Their personal information is being collected.
- The purposes for which that information is being collected.
- The intended recipients of that information.
- The individual's right to obtain access to that information.
- Our identity, and how to contact us.

## Using your personal information

We will only use your personal information for the following purposes:

- to set up your account to use our services (this includes verifying your identity, the identity of any authorised persons and other due diligence tasks associated with setting up an account);
- to deliver the services you have asked us to provide, such as administering your account and carrying out your instructions;
- other administrative, management and operational purposes including:
  - Administering billing and payments and debt recovery;
  - Training staff, contractors, and other workers;
  - Risk management and management of legal liabilities and claims (for example, liaising with insurers and legal representatives);
  - Responding to enquiries and complaints regarding our services;
  - Obtaining advice from consultants and other professional advisers;
  - Responding to subpoenas and other legal orders and obligations;
- for our internal research, development and the optimisation of our services (including to develop our understanding of our clients' preferences and interests in the services we offer);
- to meet our obligations to regulators, other authorities, and to comply with our license requirements, regulations, laws and court orders (including monitoring accounts for fraud, money laundering and any other illegal activities);
- to let you know about surveys, promotions and any marketing activities we may undertake from time to time (you may opt out at any time);

Your information will not be used for any other purpose without your consent.

## Sharing your personal information

We share your personal information with:

- any of our related companies, affiliates or any third party that helps us achieve or carry out any of the purposes above;
- reputable third party providers with whom we have a continuing relationship and/or that provide services to, through, or with us (including but not limited to sub-custodians, brokers, banks and other deposit-taking institutions, credit reporting and collection agencies and our advisers such as lawyers, auditors, accountants and other consultants);
- any third parties you authorise disclosure to (such as your lawyer or accountant); and
- government agencies, dispute resolution bodies, regulatory authorities and law enforcement (or where we believe the provision of the information will help prevent fraud, money laundering or other crimes).

We may also release personal information to enforce or apply our Terms and Conditions, and other applicable terms and conditions between you and us, or protect our company, our users, or others.

As above, we may share your personal information with government agencies, regulatory authorities and law enforcement, as necessary in order to comply with our legal obligations. In those circumstances, they may not have to keep your information confidential, or they may not be required to protect your personal information in a way that, overall, provides comparable safeguards to those in the Privacy Act 2020.

Other than as set out above, we will not share your personal information to third parties based in countries with privacy laws weaker than NZ unless they are required to protect your personal information to a comparable standard (for example, under the terms of our contract with them) or with your consent.

## Protecting your personal information

Your personal information is protected by various security measures and protocols and can only be accessed by authorised personnel. It is stored both physically and electronically, mainly in New Zealand and Australia. We remain responsible for ensuring the security of your personal information.

All personal information collected from our website and subsequently transmitted over the internet will be encrypted.

If there has been a breach of your personal information, we will identify the cause of the breach, make attempts to rectify, and limit any harm. If we are unable to prevent the breach causing or being likely to cause you serious harm, we will notify you and report the breach to the Office of the Privacy Commissioner <https://www.privacy.org.nz>.

If you close your account with us (or if you do not have an account, after your final interaction), we'll continue to retain all of the personal information connected to you and your account for 7 years to comply with our legal obligations, after which your information will be securely disposed of to the fullest extent possible.

## Accessing and updating your personal information

We will always endeavour to ensure the personal information we collect, use or disclose about you is accurate, complete and up to date. You can help us by notifying us of any errors, discrepancies, or changes to your personal details.

You, or someone you authorise, can view, and request updates/corrections to, the record of all the personal information we store about you. Please contact your adviser/us in the first instance or alternatively contact the JBWere Privacy Officer (see 'How you can contact us' below).

We will respond to requests as soon as possible and within 20 working days. If your request is urgent, please let us know the reasons so we can take this into account. While we generally do not charge a fee for these requests, we reserve the right to apply a reasonable fee, we will provide you with advance notice if this is the case.

In certain circumstances under the Privacy Act, we may decline requests for access or correction. If we do so, we will provide a reason and, in the case of a correction request, include a statement with your personal information noting the requested correction. If you are not satisfied with our response, you have the right to lodge a complaint with the Office of the Privacy Commissioner.

To find out what personal information we hold about you, to get a copy of that information, and/or request corrections to that information as outlined in the Privacy Act, or for any further information about this privacy policy, please contact [privacy@JBWere.co.nz](mailto:privacy@JBWere.co.nz).

## Cookies & Analytics

We may use cookies when you are on the Website. Cookies are small blocks of text stored on your device. They allow us to recognise you (or rather, your internet browser) as you move around our site, and if you return to our site later.

Cookies may be used for security to help us identify you, to provide you with personalised features and for tracking traffic on our site. Any information we collect and share with third parties through cookies is aggregated and therefore anonymous (when shared with third parties, it does not include personal information that is likely to identify you).

You can prevent new cookies from being installed and delete existing cookies. The procedure depends on which browser you are using. For information on how to remove cookies check your internet browser. You may be unable to access certain pages on our Website unless you accept cookies.

To improve our Website and services we may use patterns and other meaningful information gathered from website analytics tools. This may include the timing and frequency of your use of the Website, your IP address, page requests, form requests, mouse click activity and other information that you voluntarily enter into the Website.

In addition, we may use third-party cookies from third-party services such as Google Analytics and/or Microsoft Application Insights. These services give us insight into behavioural information relating to users' interests in our services, on

an anonymous and aggregate level. This helps us to understand browsing behaviour to give a better experience whilst using our services.

You can access Google's Privacy Policy [here](#) and Microsoft's Privacy Policy [here](#).

## Changes to our privacy policy

This privacy policy may change from time to time, so please refer to it regularly. You can always find the current version of this policy here: <https://jbwere.co.nz/privacy-policy/>.

We will give you one months' notice of any material changes to this privacy policy, unless the change must be implemented sooner to protect your information or to comply with a change in any applicable law or regulation, in which case we will notify you as soon as practicable (which in some circumstances may be after the change takes effect).

Depending on the nature of the changes, we may notify you by way of:

- Notice on our website; and/or
- Contacting you by email or post.

Any information collected after the end of the notice period will be subject to the amended privacy policy.

## Complaints about the handling of your personal information

You may contact us at any time if you have any questions or concerns about this privacy policy or about how your personal information has been handled.

You may make a complaint about privacy to the Privacy Officer at the contact details set out below. If further investigation is needed, we will acknowledge receipt within a week and strive to resolve it within 30 days. For complex cases, we will keep you informed of any delays.

If you are not satisfied with our response, you may contact the Office of the Privacy Commissioner at 0800 803 909 or [www.privacy.org.nz](http://www.privacy.org.nz).

## How you can contact us

If you have any questions or feedback about this privacy policy or any privacy issues concerning JBWere/your adviser/us, please contact the Privacy Officer, C/- JBWere, PO Box 2085, Shortland Street, Auckland 1140 or [privacy@JBWere.co.nz](mailto:privacy@JBWere.co.nz).