

# Privacy Policy

This privacy policy ('Privacy Policy') applies to personal information collected by JBWere (NZ) Limited, Margin Lending (NZ) Limited, JBWere (NZ) Nominees Limited, JBWere (NZ) Pty Ltd (together, 'JBWere', 'we', 'us' and 'our').

This Privacy Policy sets out:

- When we collect personal information and where we collect it from
- What personal information we collect
- Our purposes for collecting your personal information
- Sharing your personal information
- Protecting your personal information
- Accessing and updating your personal information
- Cookies & Analytics
- Changes to our privacy policy
- How you can contact us

## When we collect personal information and where we collect it from

We may collect personal information about you (whether directly or indirectly):

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

We may collect your personal information directly from you as well as from third parties, for instance:

- Individuals who are joint account holders with you, your authorised representatives, or trustees on your account;
- your professional advisers or our intermediaries who refer you to us, for example a legal adviser, bank, or other financial services business;

- service providers or counterparties we have engaged or work with, for example, investment fund managers who engage with you;
- third parties that you have authorised to share your information with us (such as your bank or professional advisers, entities who are also our clients for whom you are a beneficial owner or beneficiary, or firms from whom you wish to transfer money or assets);
- your legal guardians or family members who are also our clients (for example, if you are under 18 and your parents are opening an account on your behalf);
- government agencies, such as the Inland Revenue.

We may collect your information from publicly available sources as well, including government registers where this is necessary or helpful for us to provide our services to you, or to meet our legal or regulatory obligations.

Some information we collect is required by law (such as identity verification under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009). Other information is voluntary. You don't have to provide us with information that is voluntary. However, if you do not provide us with the information we request, we may not be able to provide you with our services or you may not be able to fully benefit from our services.

## What personal information we collect

We collect personal information that is necessary to offer and/or provide our services to you. 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, we may create a record that includes the personal information we have collected about you.

Personal information we collect about you to create this record may include your name, date of birth, bank account details, contact details (for example, your address, phone number and email address), occupation, forms of identification, IRD and/ or any other taxpayer identification number that you may have, tax residency, source of wealth and/ or source of funds, and any other information you or others acting on your behalf provide us with, including personal information contained in application forms submitted to us by you or on your behalf.

## **Prospective employees**

We collect personal information when you make or someone on your behalf makes an application for employment to us, 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).

We may collect your personal information from third parties you authorise in ways that you would expect, such as recruitment agencies or the referees you have nominated. During our recruitment process, we may collect additional details such as your tax file number, Kiwisaver information and other information necessary to conduct background checks to determine your suitability for employment.

We may also collect your personal information from publicly available sources such as public LinkedIn profiles and other professional websites.

## **Shareholders**

We (or a share registry provider we may engage) may also collect information about you 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 about you as a shareholder, we may use and disclose it for 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 offer you our products and services, such as exclusive shareholder offers, to you.

## **Other individuals**

We may collect your personal information when you participate in events we are involved with; if you are an individual service provider or contractor for us; and when you interact with us on a commercial basis. Information we collect about you will depend on the capacity in which you are dealing with us, but it will generally include your first and last name, address, e-mail address, telephone number and payment information 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 may be considered sensitive information. For example, if you are injured while participating in the services that we provide or at an event delivered by us, we may collect health information about you in an emergency or otherwise with your consent.

## **When we receive information about others from you**

We may collect personal information about someone else 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 Privacy Policy.

This means you must ensure, when providing us personal information about someone else, that they are aware of this Privacy Policy and that their information may be collected, used, and disclosed by us in the circumstances set out in this Privacy Policy.

## **Purposes for collecting your personal information**

When we collect your personal information (whether directly or indirectly), we will only use it 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; and
  - 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);
- any other purpose permitted under the law or for which you authorise us to collect, use, or disclose your information.

## Sharing your personal information

We may 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, 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 use and share personal information about you to enforce the contracts and other applicable terms and conditions between you and us, or protect our business, interests, personnel, clients, users, or other individuals we engage with.

We may share your personal information with government agencies, regulatory authorities and law enforcement, in New Zealand and overseas, as necessary 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.

## 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.

Under the Privacy Act 2020 you can request access to and correction of, the personal information we hold about you. To find out what personal information we hold about you, to access that information, and/or request its corrections, or for any further information about this privacy policy, please contact [privacy@JBWere.co.nz](mailto:privacy@JBWere.co.nz).

We generally do not charge a fee for access and/or correction requests. However, we reserve the right to apply a reasonable fee where reasonable, and we will provide you with advance notice if this is the case.

If you are not satisfied with our response to your request, you have the right to lodge a complaint with the Office of the Privacy Commissioner.

## Cookies & Analytics

We may use cookies when you are on our 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

We may make changes to this privacy notice from time-to-time by publishing an updated version of this privacy notice on our website.

You can always find the current version of this policy here: <https://jbwere.co.nz/privacy-policy/>.

## How you can contact us

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