

## PRIVACY POLICY

We, Fortysouth Group LP and our respective subsidiaries and related parties (together *Fortysouth* or *we, us, our*), take our obligations regarding personal information seriously.

*Personal information* is any information about an individual that allows an individual to be identified.

This Privacy Policy provides information on how we may collect, store and use personal information about customers, suppliers, landowners and others doing business with us, in accordance with relevant laws, including the Privacy Act 2020 (the Act).

As someone who deals with us and provides us with personal information, you agree to be bound by this policy.

### 1. What information do we collect, and how?

#### The information we collect

We may collect the following personal information:

- identifying information about you, such as your name, address and contact details
- information you provide to help us assist you with any enquiries
- information about your transactions and communications with Fortysouth
- payments details and other financial information
- information you provide to help us assist you with any application or on-boarding process
- other information relating to your use of our services, your supply of products or services to us or your business or service relationship with us.

We may collect other personal information from time to time. We will only collect information where needed for us to deliver our services, receive services, interact with you or where required by law.

The personal information that we collect from you is held in accordance with the Act (in particular, the Privacy Principles contained in the Act).

Providing the above information is generally optional for you. However, if you do not provide information to us when requested, we may not be able to provide services to you or interact with you.

### 2. How we collect your information

We may collect the personal information you provide us in a variety of ways. We will generally collect personal information from you directly, including through the following means:

- when you first apply to become a customer
- when you first commence a supplier relationship with us or otherwise commence a business or service relationship with us
- while providing any of our services to you
- from website registration or contact forms
- during your interactions and correspondence with us
- when you use our website
- while conducting customer satisfaction and market research surveys
- through promotions.

We may also collect your personal information from third parties where you have authorised this, this is permitted by law, or where the information is publically available. This may include information from:

- a contractor or other third party helping to provide services to you
- suppliers of services to us.

We may store the above information for possible future communications relevant to the purpose of collection.

If you have provided us with information about another person, you must have that person's permission to do so. As part of this you need to comply with your obligations under the Act. For example, you may need to tell that other person that you have done so, that they have a right to access their information and that we will handle their personal information in accordance with this policy.

### 3. How do we use your information?

We may use the personal information we collect from you for a number of purposes connected with our business.

These include the following:

- to verify your identity and application details
- to assist you in becoming a supplier to, or customer of, Fortysouth
- to supply or provide you with, or facilitate the provision of, any services you have requested
- to administer your account (including undertaking credit checks and processing, administering and collecting payments from or making payments to you)
- to maintain and administer our records
- to interact and communicate with you
- to deal with your requests, enquiries or complaints and other customer care or business related activities
- to improve our services and website
- to contact you about our services or other initiatives we think you might be interested in
- for marketing, publicity or market research that we might undertake
- to comply with our legal obligations
- for other purposes for which you have given permission or which is required or allowed by law.

We may also use your information in an anonymised aggregated form, to carry out analysis of our services and interactions.

### 4. Disclosure of your information

We want you to know that any information you supply to us may be shared with and used by the following, where relevant to them:

- our employees, contractors, suppliers and agents
- affiliated and related companies
- other third parties who help provide services
- our advisors
- a business that supports our services and products (e.g. a business that hosts or maintains our IT system, data centre or website)
- service providers commissioned to protect the rights, property or safety of Fortysouth or others
- credit risk assessment agencies and debt collection agencies
- any court, tribunal or regulatory authority where disclosure is required or allowed by law
- any other person authorised by you or by law.

We will not share your information with third parties, except as outlined in this policy, or where you have authorised that disclosure.

We will not sell your personal information to third parties.

### 5. Transfer of personal information outside New Zealand

We may from time to time transfer personal information to third parties outlined above who are located outside New Zealand. If we do so, we will ensure your personal information will be protected by comparable safeguards to those in New Zealand law. If your personal information will not be protected by comparable safeguards to those in New Zealand law, we will tell you that this is the case, and only transfer your personal information with your consent.

### 6. Storage and protection of your information

We may record and store personal information we collect from you. We take reasonable steps to ensure your personal information is stored securely and is protected from misuse, loss and unauthorised access, modification or disclosure. This includes storing electronic data on servers located in secure premises, firewall and antivirus protection, data encryption and secure passwords and login processes (including multi factor authentication).

We cannot promise that your personal information will be completely free from access by an unauthorised person (e.g. a hacker). However, we use reasonable safeguards to minimise the risk of this occurring.

If a privacy breach occurs which has caused or may cause serious harm to you, we will notify you of this as soon as practicable either directly or, if that is not reasonably practicable, by public notice.

We may store your personal information using a third party service provider (including providers outside New Zealand) and so your personal information may be held outside New Zealand.

These providers are specialists in the areas of data storage and protection and are therefore

well-placed to maintain systems that protect your information. We will take reasonable efforts to ensure our agreements with them will prohibit the information that we collect from you being used by them in a way that we have not authorised.

We keep personal information only for as long as it is needed and will take reasonable steps to securely destroy or delete personal information where it is no longer required. Personal information may continue to be stored in a backup computer system and we may be required by law to retain certain personal information.

## **7. Your right to access and correct your information**

We take reasonable steps to keep your personal information accurate, complete and up-to-date.

Aside from some circumstances set out in the Act, you have a right to access and correct the personal information we hold about you. To do so, please mail or email our General Counsel at the following address or email address:

Fortysouth Group LP  
PO Box 91224, Victoria Street West, Auckland 1142  
Email: [generalcounsel@fortysouth.co.nz](mailto:generalcounsel@fortysouth.co.nz)

In some cases, there may be a charge associated with providing copies of your personal information to you. If so, we will let you know before sending your information to you.

## **8. Internet use**

This Privacy Policy only relates to our website. Our website may contain links to other third party sites. We are not responsible for the privacy practices or the content of other websites. You should check their privacy policies before providing personal information to them or any other third party.

Fortysouth's website terms of use govern your use of Fortysouth's website and are available at [https://fortysouth.co.nz/fortysouth\\_website\\_terms\\_of\\_use](https://fortysouth.co.nz/fortysouth_website_terms_of_use).

## **9. Changes to our Privacy Policy**

We may change this policy at any time and notify you by posting an updated version of the policy on our website. Any change applies from the date we post it on our website.

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