

## Southern Cross Partners Limited Privacy Policy

At Southern Cross Partners Limited we understand that privacy is important to our customers, and that you should have a right to access your information.

Unless specified in the body of this Privacy Policy, capitalised words and phrases are defined in the Glossary which is part of our [General Terms and Conditions](#).

Our Privacy Policy governs the collection, use and disclosure of your personal information and has been prepared in accordance with the New Zealand Privacy Act 1993 (**Act**) and all applicable codes under the Act, including the Credit Reporting Privacy Code 2004 (**Code**).

By accessing and using this website (**Platform**), by registering with us as an Investor, a Borrower or agreeing to be a Guarantor for a Loan, you accept this Privacy Policy and consent to the collection, use, disclosure, storage and retention of your personal information in accordance with this Privacy Policy (as amended from time to time).

This policy covers:

- The personal information we collect.
- How we collect your personal information.
- How we use and disclose your personal information.
- How we store your personal information.
- How you can access/amend your personal information.
- How this Privacy Policy can change.
- How you can contact us for questions about our Privacy Policy.

### **The personal information we collect**

We will only collect information that is necessary for the purposes of:

- confirming and verifying your identity, contact details, employment and tax status;
- assessing your creditworthiness to borrow using the Platform and/or to assess your ability to continue to meet your obligations as a Borrower under a Loan;
- checking any third party credit report;
- carrying out credit and identity checks;
- communication between you and us related to our products and services;
- running credit checks or other checks for the purpose of registering you as a Borrower or Investor;
- undertaking compliance audits and/or meeting our legal obligations including to regulators or other government agencies;
- conducting legal proceedings or other investigations;
- facilitating and undertaking the collection or recovery of debts;
- providing our services to you;
- informing you about our products and services from time to time;
- providing Investors, or prospective Investors, with sufficient information to undertake due diligence of your Loan and for them to comply with any regulatory or legislative requirements as a Lender under the Platform; and

- enabling an authorised third party to provide services to us or to you.

We will only collect your personal information by lawful and fair means and not in a way that may be unreasonably intrusive.

Some examples of the personal information that we may collect include, but are not limited to:

- your name, residential address, contact telephone numbers and email address;
- your IRD number and tax status;
- information about your financial and personal circumstances, and your employment details, income, expenses and debts;
- documents which verify your identity and other personal details, such as your passport or driver's licence number (where relevant);
- details about your credit history, credit accounts, credit that may have been extended to you and your repayment history; and
- any information that you may acquire from us.

You can visit this Platform without letting us know who you are, or giving us your personal information.

### **How we collect your personal information**

We may collect your personal information directly from you through the Platform in a number of ways, including:

- when you contact us;
- when you register on the Platform;
- when you create an application on the Platform for a Loan or to make an investment;
- through your use of the Platform; and
- during any other communications with us.

We will always try to collect information from you directly, but in some circumstance we may collect your information from third parties, including from:

- your representative, or any person you have authorised to act on your behalf;
- public sources and through third party service providers, when you have already agreed to the release of such personal information to us; or
- credit reporting agencies (defined in the Code) (**Credit Reporting Agencies**).

We do not otherwise collect any personal information about you, except when you knowingly provide it to us.

If you do not provide us with all of the personal information we have requested from you, we may not be able to complete registration as a Borrower or Investor, and we may be unable to approve your application for a Loan or to invest in a Loan, or to provide you with any of the services or information you are seeking from us.

If you provide us with information about another person, then you must comply with your obligations under applicable privacy laws, for instance, 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.

### **Registration as a Borrower**

When you register as a Borrower or apply for a Loan through the Platform, you authorise and consent to us obtaining personal information about you from any Credit Reporting Agency.

If you do not provide us with all of the personal information we have requested from you, we may not be able to complete registration as a Borrower, and we may be unable to approve your application for a Loan, or to provide you with any of the services or information you are seeking from us.

If you have registered as a Borrower and you have asked someone else to register as a co-borrower, each of you acknowledge and agree that:

- Southern Cross Partners may provide the personal information of either you or your co-borrower to the other party; and
- Southern Cross Partners will be entitled to accept instructions from either the Borrower or co-borrower in respect of the access to, use of, and amendment to, either party's personal information held by us.

### **How we use and disclose your personal information**

Before we use or disclose your personal information in accordance with the purposes of this Privacy Policy we will take all reasonable steps (if any) to ensure that the information is accurate, up to date, relevant and not misleading.

We may disclose your personal information to third parties, in a matter consistent with the purposes for which it was collected, including to:

- any entity in the Southern Cross Group;
- any Guarantor under your Loan;
- any Borrower under a Loan you have guaranteed;
- your authorised nominated representative(s) or any person acting on your behalf;
- our agents, service providers (for example mailing houses and technology service providers), business partners, suppliers and certain sub-contractors;
- Investors or prospective Investors;
- authorised representatives and credit representatives who sell products and services on our behalf;
- debt collectors;
- our Financial Advisers, legal advisers or auditors;
- your representatives (including your legal adviser/solicitor, accountant, mortgage broker, Financial Adviser, executor, administrator, guardian or trustee); and
- any court, government agency, tribunal or other person or entity where disclosure is required or permitted by law, including in legal proceedings.

We may also disclose your personal information to third parties where:

- you have authorised the disclosure, or the disclosure is connected to the purpose for which the personal information was collected; and/or
- we are permitted to disclose the information under the Act.

We may provide Credit Information (as defined in the Code) about you to Credit Reporting Agencies, including for the following purposes:

- to help us assess your credit score where that is a condition of us entering into a contract with you;

- so that a Credit Reporting Agency can update their credit reporting database, and may disclose that information to their own customers for the purpose of providing credit reporting services; and
- to enable us to participate in any Credit Reporting Agency's monitoring service so as to receive updates on the information the Credit Reporting Agency holds about you or on any matters which may impact our relationship with you (including updates that notify us that other people have made an enquiry about you to the Credit Reporting Agency).

Where we disclose your personal information to a Credit Reporting Agency, a Credit Reporting Agency may hold your information on their credit reporting database and use it for providing credit reporting services, including making this information available to other credit providers (or potential credit providers) and other persons who use the Credit Reporting Agency's services and for any other lawful purpose including in accordance with the Code.

### **How we store your personal information**

We store personal information in both electronic and paper form. Your personal information is kept safe and secure in accordance with accepted standards of security.

We keep your personal information only for as long as necessary to achieve the purpose we collected it for and in all cases for such periods as we are required to in order to comply with any relevant legislation or regulations.

### **How you can access/amend your personal information**

You may access your personal information we hold by emailing us at [info@scfl.co.nz](mailto:info@scfl.co.nz). We will provide you with a copy of the personal information we keep about you. If we are unable to give you access to the information you have requested, we will give you written reasons for this decision when we respond to your request.

You may request that the personal information we hold about you be corrected by emailing us [info@scfl.co.nz](mailto:info@scfl.co.nz). If we agree that your personal information is to be corrected we will provide you with an amended record of your personal information. If we decline or are unable to provide you with the requested correction, we will notify you of the reasons for declining to do so to the extent required and at your request take reasonable steps to attach a statement to your personal information setting out that you have requested that the information be corrected.

### **How this Privacy Policy can change**

We reserve the right to modify or amend this Privacy Policy from time to time and for any reason. Any changes will apply from the date we post the updated Privacy Policy on the Platform.

### **How you can contact us for questions about our Privacy Policy**

If you have any queries about this Privacy Policy or personal information we have collected please contact us by email at [info@scfl.co.nz](mailto:info@scfl.co.nz) or:

- by calling to 09 5352239
- by writing to  
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