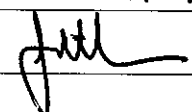


## Privacy Policy

September 2016

### Version History

Version	Date	Amendments	Changes made by
1	30/09/2016	New document	Directors
2	15/02/2018	General updates	Johanna Bloemendal
3	29/04/2019	Annual review	Johanna Bloemendal

<i>Discussed at Board meeting (date)</i>	17 May 2019
<i>Approved (Signed)</i>	

### Policy

This policy applies to all customers of Southern Cross Partners Limited.

At Southern Cross Partners Limited we understand that privacy is important to all of our customers, and that they should have a right to access the information we hold about them.

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

Investors, by registering and accepting our Terms & Conditions on our online platform and a Borrower(s)/Guarantor(s) agreeing to our Terms & Conditions as part of the loan documentation, accept this Privacy Policy and consent to the collection, use, disclosure, storage and retention of personal information in accordance with this Privacy Policy.

This policy covers:

- The personal information we collect
- How we collect personal information
- How we use and disclose personal information
- How we store personal information
- How customers can access/amend their personal information
- How this Privacy Policy can change or be reviewed
- Who is the contact 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 our customers identity, contact details, employment and tax status;
- assessing creditworthiness to borrow using the Platform and/or to assess the ability to continue to meet obligations as a Borrower under a Loan;
- checking any third-party credit report;
- communication between us and our customers related to our products and services;
- running credit checks, identity checks or other checks for the purpose of registering 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 services to customers;
- informing customers about our products and services from time to time;
- providing Investors, or prospective Investors, with sufficient information to undertake due diligence of Loans 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 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:

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

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

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

We will always try to collect information from customers directly, but in some circumstances, we may collect information from third parties, including from:

- the customers representative, or any person have authorised to act on their behalf;
- public sources and through third party service providers, when customers have 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 customers, except when they knowingly provide it to us.

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

If a customer provides us with information about another person, then they must comply with their obligations under applicable privacy laws, for instance, they may need to tell that other person that they 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 a Borrower applies for a Loan through the Platform, they authorise and consent to us obtaining personal information about them from any Credit Reporting Agency.

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

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

- Southern Cross Partners may provide the personal information of either the borrower or the 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 any 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 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 the Loan;
- any Borrower under a Loan they have guaranteed;
- The authorised nominated representative(s) or any person acting on the borrower's 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;
- The borrower's representatives (including 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 personal information to third parties where:

- The borrower has 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 borrowers to Credit Reporting Agencies, including for the following purposes:

- to help us assess the borrowers credit score where that is a condition of us entering into a contract with them;
- 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 to receive updates on the information the Credit Reporting Agency holds about a borrower or on any matters which may impact our relationship with them (including updates that notify us that other people have made an enquiry about them to the Credit Reporting Agency).

Where we disclose personal information to a Credit Reporting Agency, a Credit Reporting Agency may hold 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 personal information**

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

We keep 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 can customers access/amend personal information?**

Customers may access personal information we hold by emailing our Privacy Officer, Johanna Bloemendal at [johanna@scpartners.co.nz](mailto:johanna@scpartners.co.nz). We will provide them with a copy of their personal information we hold. If we are unable to give access to the information they have requested, we will give them written reasons for this decision when we respond to the request.

Customers may request that the personal information we hold about them be corrected by emailing our Privacy Officer, Johanna Bloemendal at [johanna@scpartners.co.nz](mailto:johanna@scpartners.co.nz). If we agree that the personal information is to be corrected we will provide them with an amended record of their personal information. If we decline or are unable to provide them with the requested correction, we will notify them of the reasons for declining to do so to the extent required and at their request take reasonable steps to attach a statement to the personal information setting out that they 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.

### **Review**

This policy will be reviewed regularly, and at least annually, to ensure this policy is relevant and details are current.

## Privacy Policy

We value your privacy! Any information you give to the Southern Cross Financial Group (SCFG), including any of the associated trading companies, will be held with the utmost care and in the strictest confidence in accordance with the Privacy Principles contained in the Privacy Act 1993. A more detailed explanation about how we safeguard your personal information is described below. If you have any questions at all about our privacy policy, please [email us](#).

### What information do we collect and hold?

**Personal information:** We may collect and hold personal information:

- a. Provided by you when you register with us as an investor or a borrower;
- b. From third parties, such as identity verification service providers; and
- c. Through your transaction activities with SCFG.

**Use of personal information:** You agree that we may use this information to assist us in conducting our financial services business, including (without limitation):

- a. To deliver information and services to you;
- b. For internal research purposes;
- c. To verify your identification;
- d. Communicating with third party service providers who assist SCFG with functions such as fraud prevention and technology services;
- e. To meet legal and regulatory requirements (including, without limitation, our obligations under the Financial Markets Conduct Act 2013; Financial Advisers Act 2008; Financial Service Providers (Registration and Dispute Resolution) Act 2008; and Anti-Money Laundering and Countering Financing of Terrorism Act 2009); and
- f. For any other use that you authorise.

We may also use your personal information to promote and market related products and services to you

**Collection of information:** We will usually collect information directly from you however we may collect information from other sources where you have authorised us to do so or where it is unreasonable or impractical to collect the information directly from you.

**Failure to provide personal information:** You may choose not to provide personal information to us, however this may result in you being unable to register with us as an investor or borrower, or to receive our services.

## How do we use and disclose information?

**Use of personal information:** We may use the personal information for the purposes set out above.

**Promotional and marketing communications/Unsubscribe:** We strive to only send e-mails to those who want to receive it. If you would not like to receive future e-mails from us, please use the 'unsubscribe' link located at the bottom of our email communications.

**Disclosure of personal information:** SCFG does not sell, rent, loan, trade, or lease for monetary gain any personal information collected by our website, including contact forms, download requests or email lists. We may however disclose personal information to third parties:

- a. To verify information provided to us (e.g. in your investor or borrower application);
- b. If we are required or authorised by law or a regulatory body to disclose the information;
- c. Where it is necessary to facilitate any sale of our business or part thereof;
- d. To promote and market related products and services to you; or
- e. If authorised by you.

We may also disclose your information to related companies.

Where necessary and as indicated on the Loans Form we work with only Registered Financial Advisors who assist our borrowers which supports our policy of Responsible Lending Practices.

## Right of access and correction

**Right of Access:** You can access and request the correction of any of your personal information at any time. You may also request that we delete your personal information, however this may impact on your ability to remain an investor or borrower with SCFG.

**Exceptions:** Your right to access and correct your information is subject to the exceptions contained in the Privacy Act 1993.

## Storage and security of information

**Security measures:** We take reasonable measures to protect all personal information and to ensure your information may only be accessed by authorised persons.

**Information collected by our website (cookies):** SCFG does collect information about how people are using our website in order to improve the value of our website and the materials available on the website.

You are able to configure your web browser to accept or reject all cookies, or to notify you when a cookie is sent (please refer to your browser instructions to learn more about this). If you disable the use of cookies on your web browser or remove or reject specific cookies from our website, then your experience of using our website may be impacted.

**Email lists:** Individuals join our mailing lists and are added to our email database using the forms provided on this website. We do not sell, rent, loan, trade, or lease the addresses on our lists to anyone. In addition, we configure our email software to refuse to divulge the email addresses of our list subscribers to anyone but authorised SCFG staff, including other list subscribers.

**Deletion of information:** If we no longer need to hold your personal information for the purposes for which it was collected, and no applicable law requires us to retain that information, we will take reasonable steps to securely destroy and dispose of your information.

## Questions and complaints

**Privacy Officer:** If you wish to contact us in relation to our Privacy Policy, your personal information or to make a complaint about our compliance with the Privacy Principles, please contact our Privacy Officer:

**Email:** [johanna@scpartners.co.nz](mailto:johanna@scpartners.co.nz)

**Address:** 16 Selwyn Road, Cockle Bay, Auckland (PO Box 38-010, Howick, Auckland)

**Phone:** 09 535 2239



**Privacy Commissioner:** If you are not happy with our response to your query or complaint, you may contact the Office of the Privacy Commissioner at [www.privacy.org.nz](http://www.privacy.org.nz).

## 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

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- 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 circumstances 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

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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 coborrower, each of you acknowledge and agree that:

Southern Cross Partners may provide the personal information of either you or your coborrower 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 manner 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;

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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 Southern Cross Partners Limited 16 Selwyn Road Cockle Bay Auckland 2014