



Southern Cross Partners Limited

Privacy Policy

December 2020

About this document

Southern Cross is bound by the Privacy Act and the 13 principles. This legislation regulates how we manage and protect our customer's information. It's our job to keep you up to date about how we're doing just that. Protecting your privacy is crucial to the way we do business. That's why we've simplified our Privacy Policy to explain better how we do our utmost to protect your personal information.

Please take the time to read this document. It describes how we carefully manage and safeguard your personal information (including sensitive information), mainly information we collect to provide a product or service to you.

Approval

Business Owner:	Johanna Bloemendal
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Date:	<i>16/5/2023</i>
Document Name/Number:	Privacy Policy V1.1

Version Control

Version	Date	Author	Description
0.1	19/06/2020	Johanna Bloemendal	Draft policies
1.0	01/12/2020	Johanna Bloemendal	Handbook published
1.1	03/02/2022	Johanna Bloemendal	Annual review
1.2	08/03/2023	Johanna Bloemendal	Annual review

Introduction

When our clients' use our services, they are trusting us with their personal and financial information. We understand this is a big responsibility, and we work hard to protect their information as per the Privacy Act 2020.

Everybody values their privacy and the information which exists about them in this world. People do not like this information to be public knowledge and even more so if this information is misused for fraudulent activities. This has even become more important in this digital age we are living in.

All of us work daily with information that is sensitive to Southern Cross, us, and our customers. By protecting this information and managing it in a secure manner, it helps maintain our reputation, our customers' trust, and ensure compliance with strict regulatory requirements and protect us from financial losses.

The information we must protect comes in different formats like emails, printed documents, mail, discussions, and systems.

Policy Statement

A key aspect of our business is obtaining and storing client information and other types of data. If we use service providers who are based overseas (for example, cloud software where servers are based in another country) we need to ensure that the provider meets the New Zealand privacy laws at all times.

We must also ensure that personal client information is held in a safe and secure way and disposed of securely when we have finished with it and/or are no longer required to hold it.

We follow The Privacy Act's thirteen principles when collecting, using and storing client's personal information:

<p>Principle 1</p>	<p>Personal information must only be collected when:</p> <ul style="list-style-type: none"> • the collection is for a lawful purpose, connected with what Southern Cross does, and • it's necessary to collect the information for that purpose.
<p>Principle 2</p>	<p>Personal information must usually be collected from the person the information is about. But sometimes it is all right to collect information from other people instead - for instance, when:</p> <ul style="list-style-type: none"> • getting it from the person concerned would undermine the purpose of the collection • it's necessary so a public sector body can uphold or enforce the law • the person concerned authorises collection from someone else.
<p>Principle 3</p>	<p>When we collect personal information from the person the information is about, it must take reasonable steps to make sure that person knows things like:</p> <ul style="list-style-type: none"> • why the information is being collected

	<ul style="list-style-type: none"> • who will get the information? • whether the person has to give the information or whether this is voluntary • what will happen if the information isn't provided. • their rights of access to and correction of information <p>Sometimes there are good reasons for not letting a person know about the collection, for example, if it would undermine the purpose of the collection, or it's just not possible to inform the person.</p>
Principle 4	Personal information must not be collected by unlawful means or by means that are unfair or unreasonably intrusive in the circumstances.
Principle 5	It's impossible to stop all mistakes. But we must ensure that there are reasonable safeguards in place to prevent loss, misuse, or disclosure of personal information.
Principle 6	<p>People are entitled to receive from Southern Cross upon request</p> <ul style="list-style-type: none"> • confirmation of whether Southern Cross holds any personal information about them: and • Access to their personal information • If a person is given access to personal information, they must be advised that under principle 7 they may request the correction of that information <p>There are situations where we can refuse to give access to information because doing so would:</p> <ul style="list-style-type: none"> • Endanger a person's safety. • Prevent detection and investigation of criminal offences. • Involve an unwarranted breach of someone else's privacy. <p>Southern Cross has a legal duty to respond to requests for access to information or correction of information within 20 working days of receiving the request.</p>
Principle 7	<p>People have a right to ask us to correct information about themselves, if they think it is wrong.</p> <ul style="list-style-type: none"> • Southern Cross must on request take reasonable steps to ensure the information is accurate, up to date, complete and not misleading • When people are requesting the correction of personal information, they are entitled to provide a statement of correction and request it is added to file • Southern Cross must take all reasonable and practical steps to inform every other person that information has been disclosed to that there has been a change
Principle 8	Before we use or discloses personal information, we must take reasonable steps to check that information is accurate, complete, relevant, up to date and not misleading.
Principle 9	We must not keep information for longer than is necessary for the purposes for which the information may be lawfully used.
Principle 10	We must use personal information only for the purpose for which it has been collected. Other uses are occasionally permitted (for example because this is necessary to enforce the law, or the use is directly related to the purpose for which the agency got the information).

<p>Principle 11</p>	<p>We can only disclose personal information in limited circumstances, such as where another law requires us to disclose the information. We can also disclose information if we reasonably believe that:</p> <ul style="list-style-type: none"> • disclosure is one of the purposes for which we got the information • disclosure is necessary to uphold or enforce the law • disclosure is necessary for court proceedings • the person concerned authorised the disclosure • the information is going to be used in a form that does not identify the person concerned.
<p>Principle 12</p>	<p>Where disclosure of personal information happens outside of New Zealand (i.e. where the third-party provider is based overseas), we must confirm that the provider meets the New Zealand privacy and data laws <i>before</i> entering into a business relationship with them. If they do not meet our criteria, we cannot allow them to hold our data.</p>
<p>Principle 13</p>	<p>Southern Cross cannot use the unique identifier given to a person by another business. For example, some businesses or agencies give people a 'unique identifier' instead of using their name (e.g. a driver's licence number, a student ID number, an IRD number, etc.). People are not required to disclose their unique identifier unless this is one of the purposes for which the unique identifier was set up, or is directly related to those purposes.</p>

Privacy Officer

Southern Cross has appointed the Compliance Officer as the company Privacy Officer. The Privacy Officer must have a general understanding of the Act and can deal with privacy issues when they arise. Any breaches or 'near misses' must be reported to the Privacy Officer as soon as possible.

Privacy Breaches

Privacy breaches are a reality for any business that holds personal information. Businesses and organisations can inadvertently release personal information through employee complacency, inadequate security measures, poor procedures or by accident. If a privacy breach happens, it must be carefully managed and resolved.

Southern Cross must report any serious privacy breaches to the Office of the Privacy Commissioner. A serious breach is one that poses a risk of harm (e.g. leaked personal information is published online or used to facilitate identity theft). Where a serious breach occurs, we must also notify the people whose information was affected.

Breach notifications to the Office of the Privacy Commissioner can be made by email, telephone or by using their online enquiry form: <https://www.privacy.org.nz/privacy-for-agencies/privacy-breaches/>

Key Processes

- Southern Cross collects personal information from:
 - Employees / Prospective Employees

- Contractors,
 - Authorised bodies
 - Outsource providers
 - Clients and prospective clients
- We will only collect information that is directly relevant to our business relationship with our clients.
 - The primary source of information will be from the client directly. Where we use other sources, we must inform the client of those sources before proceeding.
 - We will not share, sell or trade personal information to any other company or person. We may contact clients from time to time for relationship management purposes or to advise of other services.
 - We will use all reasonable endeavours to ensure that personal information is kept secure and confidential.
 - Only authorised staff will have access to personal information.
 - We only keep personal information for as long as it is necessary (refer record Keeping policy)
 - Client information is safely disposed of.
 - We ensure that our IT network is secure.
 - We take all reasonable steps to ensure information is protected when working remotely
 - If we are considering engaging an overseas-based service provider (e.g. cloud storage services), we must ensure that the provider meets all New Zealand privacy laws.
 - Any requests for access to information must be referred to the Privacy / Compliance Officer
 - We record breaches on the Breaches register

Breach process

These are four key steps in dealing with a privacy breach:

1. Contain
 - Once you discover a privacy breach, contain it immediately and find out what went wrong
2. Assess
 - Assessing the risks of the privacy breach will help figure out our next steps
3. Notify
 - We will be open and transparent with people about how we are handling their personal information
4. Prevent
 - The most effective way to prevent future breaches is through our security plan for all personal information

Further information about the four steps, follow <https://www.privacy.org.nz/privacy-for-agencies/privacy-breaches/responding-to-privacy-breaches/>

If we are unsure if a breach is notifiable we can refer to the commissions website <https://www.privacy.org.nz/privacy-for-agencies/privacy-breaches/notify-us/>

Collecting your personal information

JUST SO YOU KNOW

When a Borrower applies for a loan through our Platform, they authorise and consent to us obtaining personal information about them from any Credit Reporting Agency.

To provide you with a product or service, we need to collect some of your personal information. And on some occasions, the law requires us to collect it.

"Personal information" is information or an opinion about you or information that can be used to identify who you are.

The majority of your personal information is collected from you directly. However, there will be times when we need to request information about you from a third party, like a credit report from a credit reporting body. This helps us make an informed decision about your application.

Depending on the type of product or service, we collect information such as your name and:

- address
- annual income and other financial details
- credit history
- date of birth
- email address
- place of work
- telephone number
- transaction history

We collect this information in several ways:

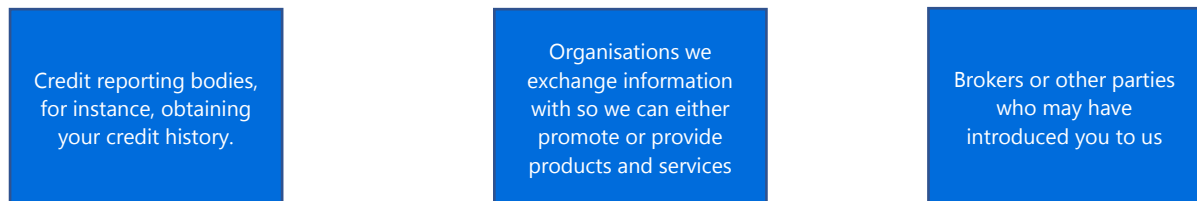
- when customers contact us
- when customers register on the Platform
- when customers create an application on the Platform for a loan or to make an investment
- through the use of the online Platform, and
- during any other communication with us.

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.

Collecting information from other parties

We always try to collect information from customers directly. Still, in some instances, we may collect information about you that's publicly available, such as data from Companies Office records or other websites.

There may be occasions when we gather personal information about you from a third party, including:



Collecting sensitive information

On rare occasions, we may need to collect information of a more sensitive nature. The following is considered “sensitive information”:

- Racial or ethnic origin
- Professional or trade association membership
- Criminal records
- Health information.

Rest assured, we won't collect, use, or disclose your sensitive information for one of our functions or activities – and we have your consent, or where required by law.

For example, when you're applying for relief from making payments on a loan for health reasons.

Sometimes, we're legally required to collect your information. This occurs when we're required by New Zealand law or court or tribunal order, such as:

- **The Anti-Money Laundering and Counter-Terrorism Financing Act** – to prove your identity when we onboard you.
- To confirm your tax residency status under taxation information sharing agreements, the government has in place with other countries under New Zealand legislation.

Using and sharing your personal information

We need to use (and at times disclose) your information to provide you with (and/or maintain) a product or service. Other reasons we need to do so include:

- To discuss the account with any Guarantor under the Loan

- Performing administrative and operational tasks – including account management, risk management, system development and testing, credit scoring and staff training, collecting debts and market or customer satisfaction research.
- Marketing product and services – we may use your data to let you know about new or existing products or services
- Debt collectors
- Considering any concerns or complaints you raise about Southern Cross - or managing any legal action between you and Southern Cross, or
- Preventing or investigating any actual or suspected fraud, unlawful activity or misconduct

Just so you know

If you'd prefer to opt out of receiving Southern Cross marketing, please call 09 535 2239.

Credit Reporting

Southern Cross participates in credit reporting. This means if you apply for credit from Southern Cross, we may request a credit report about you from a credit reporting body. Credit reports contain information that can help us assess your application, including your credit history with other providers.

What's a credit reporting body?

These companies hold credit information about individuals and provide it to credit providers in certain circumstances, including when:

- a customer applies for credit
- the credit provider is trying to help a customer avoid defaulting.

Sharing your information with credit reporting bodies

When we request a credit report, we need to give the credit reporting body:

- information about you (such as your name and address) to make sure we receive the correct credit report
- information about your application – such as the type and amount of credit you're applying for.

When you receive credit from Southern Cross, we need to share more information with a credit reporting body, on an ongoing basis. This ensures it can be included in your credit report and shared with other credit providers, upon request.

It's information we've collected through your use of Southern Cross product and includes:

- the type of credit you hold
- the amount of credit you've received
- the terms and conditions
- when your account is opened and closed

- how you repay your credit.

Also, we need to report information to a credit reporting body when you:

- miss repayments on your credit
- default on your obligations, or
- commit a serious infringement (e.g., fraudulent behaviour or deliberately seeking to evade your repayment obligations).

But we also let them know when you:

- make repayments on time, or
- correct a default.

Using information, we've received from Credit Reporting Bodies

We can use this information to:

- assess your application for credit
- help you avoid defaulting on your credit obligations
- assess your suitability to act as a guarantor
- manage accounts and carry out general administrative and operational tasks for Southern Cross. For example, risk management, market, and customer satisfaction research, staff training, credit scoring and collecting debts
- meet requirements of any laws, regulations, Code of practice, and payment systems.

Often, we'll combine this information to create a 'credit score' or rating, which we use to decide whether you can afford the credit you're applying for.

Sharing your credit information

Special rules apply to how we share information we get from a credit reporting body. Generally, we can only share this information with:

- other credit providers – to assess credit or investigate suspected fraud
- your guarantors
- government agencies and law enforcement bodies or courts – when we're required or authorised by law.

Fraud

If you think you've been, or are likely to be, a victim of fraud – for example, because you suspect someone else is applying for credit in your name – you've got a right to request credit reporting bodies don't use or disclose credit reports held about you.

Accessing your personal information

If you want to access your personal data, contact our Compliance Manager on 09 535 2239 or email johanna@scpartners.co.nz. The team can usually deal with such a request within 14 to 30 days.

If, for any reason we can't provide you with access, we'll tell you why and attempt to find other ways to help you.

Protecting your personal information

We have measures in place to protect your personal information from:

- misuse and loss
- unauthorised access
- unauthorised modification
- unauthorised disclosure

And here's how we safeguard your data:

- implementing physical security – such as locks and security systems over our paper and electronic data stores and premises
- maintaining computer and network security – including firewalls and passwords to control access
- maintaining and monitoring our online security systems.

Requesting correction of your information

If you believe your personal information is inaccurate, incomplete or out-of-date, call the Compliance Manager on 09 535 2239 or email johanna@scpartners.co.nz, and we'll update it promptly.

If you'd like us to correct the information we've received or disclosed through the credit reporting system, we'll directly consult with the relevant organisations.

If we disagree that your information needs to be corrected, we'll tell you why and what you can do if you're unsatisfied with our response.

Who to contact if you have a complaint?

If you believe your privacy has been compromised or we've breached the Privacy Act or a Code of Conduct and you would like to make a complaint, you can talk to our Privacy Officer. We will do our best to help resolve any issue you may have.

Here's how we respond to complaints

We'll do our utmost to:

- Respond within three working days - we'll let you know who is responsible for managing your complaint.
- Resolve your complaint within ten working days. If this isn't possible, we'll contact you within that time to let you know how long it'll take.
- Investigate your complaint. Where necessary, we'll consult with other credit providers or credit reporting bodies about your complaint.
- Make a decision about your complaint. We'll write to you to explain our decision.

If you are not satisfied with our response to your complaint or do not want to talk to the customer service team, you can escalate your complaint to the Privacy Officer. We want to work with you to resolve your complaint quickly and amicably.

If you are not satisfied with our response you can lodge a complaint with the Privacy Commissioner who acts as an impartial third party when investigating and resolving a complaint in relation to the handling of your personal information. You can contact them on:

You can phone the Office of the Privacy Commissioner on 0800 803 909.



Appendix 2 - <http://www.southerncrosspartners.co.nz/wp-content/uploads/2017/05/Privacy-Policy.pdf>

Southern Cross Privacy Policy

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

Unless specified in this Privacy Policy body, 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 2020(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 by 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:

- 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 to register 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 further 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 you or to us.

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 whom 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 several 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 we may collect your information from third parties in some circumstance, 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.

Provide us with information about another person. You must comply with your obligations under applicable privacy laws. For instance, you may need to tell that other person you have done so that they have a right to access their information and that we will handle their personal information according to 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.

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

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

- Southern Cross may provide the personal information of either you or your co-borrower to the other party, and
- Southern Cross 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 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 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 customers to provide 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 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. We are required 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. We will provide you with a copy of the personal information we keep about you. If we cannot give you access to the information you have requested, we will provide you with 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. If we agree that your personal information is to be updated, we will provide you with an amended record of your personal information. Suppose we decline or are unable to provide you with the requested correction. In that case, 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 johanna@southerncrosspartners.co.nz or:

- by calling to 09 535 2239
- by writing to Southern Cross Partners Ltd, 16 Selwyn Road, Cockle Bay, Auckland 2014



Acknowledgment

By filling out the information and signing below, you indicate that you have read and understood the policy's contents and agree to act consistently with it. However, the absence of a signed copy of the policy is not an indication that it has not been made known and available to you, or that the policies do not apply to you.

Name:

Position:

Date:

SIGNED:

