



1 May 2023 Version 1.0

PRIVACY POLICY - NEW ZEALAND

Superhero Securities Limited (FSP No. 1002150) (NZBN: 9429051299712) and Superhero Markets Pty Ltd (FSP No. 1002149) (NZBN: 9429051299729) (Together 'Superhero') registered as NZ Financial Service Providers ('FSP')

References to "Superhero", "we", "our", or "us" refer to the above entity.

1. Privacy Policy

- 1.1. Superhero Markets Pty Ltd (NZBN: 9429051299729) (FSP No. 430149), and Superhero Securities Limited (NZBN: 9429051299712) (FSP No. 430150) (**Superhero, us, our, we**) is committed to providing quality services to you and this policy outlines our ongoing obligations to you in respect of how we manage your personal information. This policy applies to Superhero and all its related bodies corporate, including Superhero Holdings Pty Ltd (ABN 48 633 253 942), Superhero Financial Services Pty Ltd (ABN 61 625 469 981).
- 1.2. We operate in accordance with the New Zealand Privacy Act 2020 (the **Privacy Act**). The Privacy Act governs the way in which we collect, use, disclose, store, secure and dispose of your personal information.
- 1.3. A copy of the Privacy Act may be obtained from www.legislation.govt.nz.

2. What is personal information and why do we collect it?

- 2.1. Personal information is information about an identifiable individual. Examples of personal information we may collect include:
 - name;
 - residential and postal addresses;
 - email addresses;
 - phone numbers;
 - date of birth;
 - banking details;
 - IRD number;
 - copies of identification documents; and
 - any other information you provide to us.
- 2.2. This personal information is obtained in many ways including by telephone, by email, via our website at www.superhero.co.nz or the Superhero Member Portal or application process, from media and publications, from other publicly available sources, from cookies and from third parties.

- 2.3. Our website may contain links to other websites. We do not share your personal information with those websites, and we are not responsible for the privacy practices applying in respect of those websites.
- 2.4. Where reasonable and practicable to do so, we will collect your personal information only from you. However, in some circumstances we may be provided with personal information by third parties. In such a case we will take reasonable steps to ensure that you are made aware of the personal information provided to us by the third party.
- 2.5. We collect personal information for the primary purpose of providing our services to you and marketing our services to you. If you do not provide us with the required information, we may not be able to provide you with some or all of the services that you request.
- 2.6. We may also collect personal information for secondary purposes that we believe on reasonable grounds are directly related to these primary purposes.
- 2.7. When we collect personal information, we will take reasonable steps in the circumstances to explain to you why we are collecting the information and how we plan to use it.

3. AML/CFT Act

- 3.1. As a financial institution, we operate in accordance with the *Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (AML/CFT Act)*. Under the AML/CFT Act we are required to collect certain information, including verifying your identity, and we may have to provide personal information to the Financial Intelligence Unit of the New Zealand Police, including details of threshold transactions involving transfers of physical currency of \$10,000 or more, international funds transfer instructions, or instructions for the transfer of funds or property into or outside Australia. As a reporting entity we will collect your personal information for this purpose, including name, date of birth, residential address and bank account details.

4. Cookies

- 4.1. We may also collect information based on how you use our website and application, including through 'cookies', web beacons and other similar technologies.
- 4.2. Cookies are small text files that are transferred to your computer's hard drive through your web browser to enable our systems to recognise your browser and record non-personal

information such as the date, time or duration of your visit and the pages accessed, for website administration, statistical and maintenance purposes (**Cookie Information**).

- 4.3. We use cookies to provide you with a more consistent experience across our services. No attempt is made by Superhero to use Cookie Information to personally identify you. However, if Cookie Information is linked with personal information as set out above, this Cookie Information becomes Personal information and will be treated in the same manner as the personal information to which it has been linked.
- 4.4. You can remove or reject cookies by adjusting the settings on your web browser. Please note that some parts of our website, Superhero Member Portal and app may not function fully for users that disable cookies.

5. Use of personal information

- 5.1. Superhero may store, use or disclose your personal information so that we can provide our services to you and communicate with you about our services. This may include the storage, use and disclosure of your personal information by or to Superhero, or any of its related entities or subsidiaries.
- 5.2. We may also store, use or disclose your personal information to:
- consider any concern or complaint that you raise against us or to manage any legal action between you and us;
 - prevent or investigate any actual or suspected fraud, unlawful activity or misconduct;
 - comply with the AML/CFT Act; or
 - comply with all relevant laws, regulations, codes of practice and court orders.
- 5.3. Superhero may also use your personal information to send direct marketing communications to you and to identify and promote products or services that may be of interest to you. This includes regular newsletters and communications that we may send.
- 5.4. At any time you may opt out of receiving direct marketing communications from us. To do so, please contact us in writing or follow the instructions in the email. Unless and until you opt out, you will have been deemed to have consented to receive direct marketing communications from us and to the handling of your personal information for this purpose by using our services.

6. Disclosure of personal information

- 6.1. Your personal information may be disclosed to third parties in limited circumstances, including the following:
- to external service providers, including service providers located overseas, that perform services (including verification services) on behalf of Superhero;
 - to the Financial Intelligence Unit of the New Zealand Police, as required or authorised by the AML/CFT Act; and
 - as otherwise required by law.
- 6.2. Where we disclose your personal information to a service provider located overseas, if the service provider is doing more than holding the information as our agent (for safe custody or processing, for example), we will do so only on the basis that we believe on reasonable grounds that the service provider is subject to privacy laws that, overall, provide comparable safeguards to those in the Privacy Act or if we believe on reasonable grounds that the service provider is required to protect the information in a way that, overall, provides comparable safeguards to those in the Privacy Act (for example, pursuant to an agreement between Superhero and the service provider). Otherwise we will expressly obtain your consent for your personal information to be disclosed to a service provider or other entity located overseas.
- 6.3. Since Superhero is based in Australia, your personal information will be disclosed within the Superhero group of companies, which will result in your information being disclosed to Australian entities. These Australian entities are subject to privacy laws that, overall, provide comparable safeguards to those in the Privacy Act.
- 6.4. Superhero does not collect or deal with an individual's personal information without the individual's fully informed consent, including where personal information is shared with relevant third party service providers (including providers located overseas), (see the Privacy section of the Superhero Terms and Conditions).
- 6.5. If Superhero sells, assigns or otherwise transfers part or the whole of its business, your personal information, which was collected by us through your use of the service may be among the items transferred or sold to the extent that it is relevant to our business.

7. Security of personal information

- 7.1. Your personal information is stored in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure. Some of the steps taken to protect your Personal information include:
- password protected databases;
 - staff training;
 - system firewalls; and
 - ensuring compliance with internal information security protocols.
- 7.2. Our data security practices have been adopted with a view to protecting the data held by us. Notwithstanding this, you should be aware that there are inherent risks associated with the transmission of data over the internet and other mediums. Accordingly, we cannot guarantee any transmission will be completely secure.
- 7.3. When your personal information is no longer needed for the purpose for which it was obtained or for regulatory purposes, we will take reasonable steps to destroy or permanently de-identify your personal information.

8. Access to your personal information

- 8.1. You may request access to the personal information we hold about you and ask us to update and/or correct it if you believe it is inaccurate, incomplete or out of date. If you wish to access your personal information, please contact us in writing at:
- hello@superhero.co.nz; or
 - Suite 13512, Level 1, 6 Johnsonville Road, Johnsonville, Wellington 6037, New Zealand.
- 8.2. We will respond to your request within a reasonable period after the request is made. Superhero will not charge any fee for your access request, but may charge an administrative fee for providing a copy of your personal information. In order to protect your personal information we may verify your identity before releasing the requested information.

- 8.3. In certain circumstances, we may refuse, or be unable, to correct or provide you with access to your personal information. This may include refusing access to reports lodged with the Financial Intelligence Unit of the New Zealand Police, or for any other reason set out under the Privacy Act. In these circumstances, we will write to you to explain the reasons why this is the case (unless we are not permitted to do so in accordance with applicable laws).

9. Maintaining the quality of your personal information

- 9.1. It is important to us that your personal information is up to date. We will take reasonable steps to make sure that your personal information is accurate, complete and up to date. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

10. Policy updates

- 10.1. This Privacy Policy is subject to change at any time. We encourage you to review this Privacy Policy at regular intervals. If we change this Privacy Policy an updated version will be posted on our website or app to notify you of this change. By continuing to use our services after that time you will be deemed to have accepted any changes to our Privacy Policy.

11. Privacy Policy complaints and enquiries

- 11.1. If you have any queries or complaints about our Privacy Policy please contact us at:

- hello@superhero.co.nz; or
- Suite 13512, Level 1, 6 Johnsonville Road, Johnsonville, Wellington 6037, New Zealand.

- 11.2. We will deal with your complaint in accordance with our Complaints Policy available at www.superhero.co.nz.

- 11.3. You may also contact the Office of the Privacy Commissioner (OPC) (www.privacy.org.nz) at any time if you wish to lodge a complaint in relation to our privacy practices.

--- End of Policy ---