



PRIVACY POLICY

Our Privacy Policy aims to communicate, in the clearest way possible, how we treat collect, use, manage, process, disclose and store your personal information in accordance with our obligations under the Privacy Act 2020. When we say “personal information”, we mean identifiable information about you, such as your name, email, address, telephone number, and so on. We encourage you to read this Privacy Policy carefully. It will help you make informed decisions about sharing your personal information with us.

1. YOUR CONSENT

- 1.1 Property Funding is a leading independent property finance specialist that provides a range of first mortgage finance solutions and related services to our Investors and Borrowers (**Services**).
- 1.2 Our business relies on the collection of personal information that is submitted by you, or with your authority, to enable us to better provide you with the Services. By using our Services or providing your personal information to us, you consent to our collection, storage, use and disclosure of your personal information in accordance with this Privacy Policy.

2. WHAT INFORMATION DO WE COLLECT

- 2.1 **Collection of information:** We will usually collect information directly from you however we will also collect information from other sources in the circumstances described below, where you have authorised us to do so, or where it is unreasonable or impractical to collect the information directly from you and permitted by the Privacy Act 2020.
 - 2.1.1 *Information you provide to us directly:* A few examples are when you either apply to be a Borrower or Investor and through your lending transaction activities with us provide us:
 - (a) given name(s), date of birth, age, nationality and other information provided as part of your application with us.
 - (b) correspondence address; telephone number; email address.
 - 2.1.2 *Information collected from third parties:* We may collect or obtain personal information from authorised third parties such as identity verification and credit reporting service providers.
 - 2.1.3 *Information we collect automatically:* We may collect personal information about you automatically when you visit our website or use our Services, like your IP address and device type. Some of this information may be collected using cookies and similar tracking technologies.
 - 2.1.4 *Information we create in the performance of the Services:* We may also create or obtain personal information about your interactions with us and any interactions we have with financial institutions on your behalf.
 - 2.1.5 *Information you make public:* We may collect or obtain your personal information that you manifestly choose to make public, including via online channels such as social media (e.g. LinkedIn, Facebook, etc.).



- 2.2 Use of personal information:** You agree that we may use your personal information to assist us in conducting our business and provide you with the Services and any related services you may request. In doing so, Property Funding may use the personal information we have collected from you for purposes related to the Services, including (without limitation):
- 2.2.1 To assess your suitability as either an Investor or Borrower (as applicable);
 - 2.2.2 To deliver information and Services to you;
 - 2.2.3 To verify your identification;
 - 2.2.4 To meet our obligations under any contracts we enter into with you;
 - 2.2.5 To conduct credit checks (if you are a Borrower);
 - 2.2.6 Communicating with third party service providers who assist us with functions such as fraud prevention, technology and legal services;
 - 2.2.7 To fulfil our legal and regulatory requirements (including our obligations under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009);
 - 2.2.8 Where we have legitimate interests to process the personal information or sensitive information and these interests are not overridden by your rights;
 - 2.2.9 To promote and market related products and services to you;
 - 2.2.10 For internal research purposes; and
 - 2.2.11 For any other use that you authorise.
- 2.3 Failure to provide personal information:** You can always choose not to provide personal information to us, however this may result in you being unable to use our Services or become a Borrower or Investor with us.

3. HOW WE USE AND DISCLOSE PERSONAL INFORMATION

- 3.1 Use of personal information:** We may use the personal information for the above stated purposes set out in clause 3.2.
- 3.2 Disclosure of personal information:** We will only disclose your personal information outside Property Funding if it is necessary and appropriate to facilitate the purpose for which your personal information was collected pursuant to this Privacy Policy. This may include:
- 3.2.1 Disclosing personal information to third parties:
- (a) For the purposes set out in clause 3.2;
 - (b) If we are required or authorised by law to disclose the information;
 - (c) Where it is necessary to facilitate any sale of our business;
 - (d) To promote and market related products and services to you; or
 - (e) If authorised by you (in this Privacy Policy or otherwise).

We will take reasonable steps to ensure that third parties keep any of your personal information that they receive from us confidential.



- 3.2.2 If you are a Borrower, we may disclose some of your personal information to our Investors, for the purposes of seeking funding for the loan to you and the ongoing transactions under such loan;
- 3.2.3 If you are an Investor, we may disclose your name and contact details to other Investors, for example in Investor communications regarding an investment opportunity, or the performance and repayment of any investment in which there is more than one Investor;
- 3.2.4 We may also disclose your information to related companies and as permitted under the Privacy Act 2020.

We will not otherwise disclose your personal information unless we believe on reasonable grounds that you have provided your authorisation. However, you should be aware that we may be required to disclose your personal information without your consent in order to comply with any court orders, subpoenas or other legal process or investigation including by tax authorities, if such disclosure is required by law.

- 3.3 **Trading of information:** Your personal information will not be sold, traded, rented or otherwise provided to others without your consent.

4. LINKS TO OTHER WEBSITES

- 4.1 **Links:** Our website may contain links to other websites that are not under our control. These websites may use cookies. It is the responsibility of those third parties to collect appropriate consents from you in order to permit their own cookies (to the extent this is required by law) and to inform you about the cookies they use. You should check the privacy policy on all third-party websites to ensure you are comfortable with third party cookies.
- 4.2 **No liability:** We have no responsibility for linked websites and provide them solely for your information and convenience. We specifically disclaim responsibility for their content, privacy practices and terms of use, and we make no endorsements, representations or warranties about their accuracy, content or thoroughness. Your disclosure of personal information to third party websites is at your own risk.

5. EMAIL, TEXT AND TELEPHONE COMMUNICATIONS

- 5.1 **Unsolicited Electronic Messages Act 2007:** We are committed to complying with the Unsolicited Electronic Messages Act 2007. In respect of this:
 - 5.1.1 By subscribing to emails and/or text communications, or otherwise providing your email address and/or mobile number, you consent to receiving emails and/or texts (as the case may be) which promote and market our products and services, or the products and services of others, from time to time.
 - 5.1.2 In relation to promotional and marketing communications, we will always provide you with a simple means of opting out of receiving such information in the future (for example, by clicking “unsubscribe” in email communications from us), or you can contact us directly by emailing compliance@propertyfunding.co.nz. Once you have unsubscribed from the email or text communications, you will be removed from the corresponding marketing list as soon as is reasonably practicable.



6. RIGHT OF ACCESS AND CORRECTION

- 6.1 **Right of Access:** You can request access to the personal information we hold about you, request that we update or correct any of your personal information, ask us to restrict or cease processing your personal information by setting out your request in writing and sending it to us at compliance@propertyfunding.co.nz at any time. It is your responsibility to ensure that the personal information you provide is accurate, complete and up to date. You may also request that we delete your personal information, however this may impact on your ability to remain as an Investor or Borrower with us.
- 6.2 **Our response:** We will review your request as soon as reasonably practicable to comply with our legal obligations. If we are unable to give you access to the information you have requested, we will give you reasons for this decision when we respond to your request.
- 6.3 **Exceptions:** Your right to access and correct your information is subject to the exceptions contained in the Privacy Act 2020.

7. RETENTION AND DELETION OF INFORMATION

- 7.1 **Retention:** The length of time we keep your personal information depends on what it is and whether we have an ongoing business need to retain it (for example, to provide you with a service you've requested or to comply with applicable legal requirements). We'll retain your personal information for as long as we have a relationship with you and for a period of time afterwards where we have an ongoing business need to retain it.
- 7.2 **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 anonymise or securely destroy and dispose of your information.

8. INTERNATIONAL DATA TRANSFERS

- 8.1 **Our approach:** In connection with providing the Services, you accept that your personal information may be disclosed to recipients in, or transferred to, or processed in, countries other than New Zealand. We may provide your personal information to third parties in countries other than New Zealand if we have reasonable grounds to believe the recipient is required to protect your personal information in a way that, overall, provides comparable safeguards to those required by New Zealand's privacy laws. However, there may be differences between New Zealand's privacy laws and those of the overseas locations in which we may store and process your personal information. If we cannot ensure that recipients in those locations are required to protect your personal information using comparable safeguards to those under New Zealand's privacy laws then we will only provide your personal information to recipients in those locations if you authorise us to do so.



9. STORAGE AND SECURITY OF INFORMATION

- 9.1 **Security measures:** We take reasonable measures to protect all personal information and to ensure your information may only be accessed by authorised persons. While we take all reasonable precautions to protect your personal information from unauthorised access, use, modification or disclosure, no data transmission over the internet can be guaranteed to be completely secure. As such, we cannot ensure the security of any information you transmit or receive through our website and these activities are conducted at your own risk.
- 9.2 **Privacy breaches:** If you believe there may have been a privacy breach, please contact us as soon as possible using the contact details provided below.
- 9.3 **Cookies:** We use technology called cookies when you use our website. A cookie is a piece of information that our web server will send to your machine. The cookie is stored on your hard drive or in memory but it does not give us information about your computer. We use cookies to learn more about the way you use our website and to help us improve your use of our website and your online experience. 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 you may not be able to use all the services or webpages on our website.

10. 10 QUESTIONS AND COMPLAINTS

- 10.1 **Privacy Officer:** If you wish to contact us in relation to this Policy, your personal information, or to make a complaint about our compliance with the Privacy Policy, please contact our Privacy Officer, **Jacinda Manconi**:
- Email:** compliance@propertyfunding.co.nz
- Address:** 130 St Georges Bay Road, Parnell, Auckland
- Phone:** [0800 111 080](tel:0800111080)
- 10.2 **Privacy Commissioner:** We will respond as quickly as possible (our target response is 20 days) and handle all complaints in a way that is fair and consistent. However, if you remain unhappy with our response to your query or complaint, you may contact the Office of the Privacy Commissioner www.privacy.org.nz.

11. CHANGES TO PRIVACY POLICY

- 11.1 **Policy may be changed:** We may change this Privacy Policy at any time. Any changes will be effective when a notice of change is posted on our website and it is your responsibility to check this Privacy Policy periodically for changes. Your continued use of our Services following notification of any changes to this Privacy Policy constitutes acceptance of those changes. If you do not agree with any aspect of the updated Privacy Policy, you must immediately cease all use of our Services.



12. INTERPRETATION

12.1 **Interpretation:** In this Privacy Policy, the following expressions have the meanings set out:

12.1.1 **Borrower** means a person who applies for a loan from Property Funding;

12.1.2 **Investor** means a person who registers with us as an investor, for the purpose of advancing funds for use in our property lending business.

12.1.3 **we, us** and **our** and **Property Funding** collectively refers to Property Funding Securities Limited and its related companies and affiliates

This Privacy Policy was last updated on Wednesday, 25 August 2021.