

NZ REGCO PRIVACY STATEMENT

This privacy statement explains how NZ RegCo¹ collects, stores, uses, and shares personal information while exercising its regulatory functions, and the rights of individuals in relation to that information. This privacy statement also extends to personal information obtained by NZ RegCo about individuals from third parties. We may change this privacy statement at any time by posting updated terms on the NZ RegCo section of the NZX website.

References to “you” or “your” are to individuals whose personal information is collected, stored, held, used and/or disclosed by NZ RegCo.

“Personal information” has the meaning ascribed under the Privacy Act 2020 – meaning information about an identifiable individual. Personal information is any information which tells us something about a specific individual. The information does not need to name the individual, as long as they are identifiable in other ways, like through their home address.

What personal information does NZ RegCo collect?

NZ RegCo may collect personal information about the following persons:

- Shareholders and employees of existing and prospective listed issuers, and existing and prospective market participants.;
- NZX Employees;
- NZX listed issuers, participants, dealers and advisers and their personnel;
- Potential new NZX listed issuers, participants, dealers and advisers and their personnel;
- Candidates for employment with NZ RegCo;
- Third parties seeking to receive or receiving services from NZ RegCo, or seeking to provide or providing services to NZ RegCo; and
- Other individuals who we come into contact with in the ordinary course of NZ RegCo exercising its functions.

The kinds of personal information that NZ RegCo collects and holds about you will depend on your interaction with NZ RegCo. Such personal information may include:

- name, date of birth, personal contact details (including email, phone number and address) and business contact details (including email, phone number, address, company and job title);
- billing and payment details;
- records and copies of your correspondence with us;
- any voice recordings provided to us by third parties, such as participants;
- IP address, computer name or login details for NZ RegCo’s systems or portals (such as the Participant Portal);
- financial holdings information, shareholder status, and other information collected under NZX’s market rules and procedures;

¹ References to “NZ RegCo”, “we” or “us” are to NZX Regulation Limited. References to “NZX Group” are to NZX Limited and its subsidiaries (registered office addresses at Level 1, NZX Centre, 11 Cable Street, Wellington 6061, New Zealand).

- unique identifiers such as an individual's Common Shareholder Number; and
- any other information required for the purposes of collection described below.

If information about you is provided us to by a third party agency (such as a participant) this information will be handled in accordance with the provisions of the Privacy Act 2020.

How does NZ RegCo collect personal information?

NZ RegCo may collect personal information about you in a number of ways, including:

- directly from you;
- indirectly through existing or prospective NZX listed issuers, participants, dealers, advisers and their personnel, legal, corporate or financial advisers where a valid exception under the Privacy Act 2020 applies;
- from NZX Group systems used to operate the NZX Group trading and clearing system;
- in some circumstances from third party sources, including other regulatory agencies and service providers, authorised to provide us with such information;
- recruitment processes; and
- publicly available sources.

When does NZ RegCo collect, use and disclose personal information?

NZ RegCo will not collect, use or disclose personal information other than for the purposes for which we have collected it, unless authorised by you or as otherwise required or permitted by law.

Collection and use of personal information

NZ RegCo may collect, and use your personal information for the following purposes:

- to enable NZ RegCo to (i) carry out its functions in relation to the regulation of the operations of NZX's markets² (ii) comply with its legal and regulatory obligations, and (iii) support other members of the NZX Group to comply with their legal and regulatory obligations, such as statutory obligations imposed on members of the NZX Group under the Financial Markets Conduct Act, including as a licensed market operator, clearing and settlement system operator, or other licensed or regulated business;
- to enable NZ RegCo to discharge its contractual obligations, including contracts for the products and/or services received from, or provided to, third parties;
- where you have provided us with your consent to the use or disclosure, or where we have reasonable grounds to believe a third party (such as the organisation you represent) has obtained your consent to the use or disclosure;
- to administer its relationships with employees and contractors;
- to enable the resolution of a concern or complaint;
- to comply with industry standards and regulatory and legal requirements;

² Including to discharge its rights, powers, authorities, and discretions under NZX's market rules, pursuant to the delegated authority conferred on NZ RegCo by the NZX Group, including monitoring and enforcing compliance with those rules in accordance with NZX's obligations as a licensed market operator under the Financial Markets Conduct Act.

- to enable it to monitor and ensure compliance by NZX Group staff, with NZX Group policies, including the Conflicts Management Policy, Code of Conduct, and Financial Products Trading Policy; and
- When NZ RegCo is considering engaging potential services and service providers.

In certain situations, failure to provide your personal information to NZ RegCo may prevent NZ RegCo from being able to effectively perform its core functions, for example where we are required to collect personal information pursuant to NZX's market rules, to investigate or respond to a complaint or query, or to process an application.

Disclosure of personal information

Where required, and subject to NZX's market rules and applicable NZ RegCo and NZX Group policies, NZ RegCo may disclose your personal information to the following parties:

- entities within the NZX Group;
- NZ RegCo's technology partners who support NZ RegCo's systems and services;
- person(s) to which NZ RegCo is required to disclose information under a legal or regulatory obligation, such as in the context of a referral to the Financial Markets Authority under the Financial Markets Conduct Act 2013 or a referral to the NZ Markets Disciplinary Tribunal under the NZ Markets Disciplinary Tribunal Rules;
- person(s) to which the information may be disclosed pursuant to NZX's market rules; and
- third parties under contracts we enter into with for the provision of services.

Unique identifiers

Unique identifiers such as your Common Shareholder Number, Inland Revenue number etc. will generally only be collected as required by law or in accordance with the Privacy Act. NZ RegCo does not, however, assign unique identifiers.

Does NZ RegCo transfer personal information overseas?

NZ RegCo does not generally transfer personal information to overseas parties unless required by law, where such transfer relates to NZ RegCo's monitoring and/or enforcement functions or is otherwise contemplated under NZX's market rules, or unless working with international service providers.

When NZ RegCo transfers personal information overseas to third party, such transfer will be subject to privacy laws in accordance with the Privacy Act 2020.

Data security

We will not retain any personal information for longer than is required or necessary to fulfil the purposes for which the information was obtained. However, we note that there are some categories of information which we are required by law to retain for a set period of time.

We may store your information ourselves, or with third parties contracted to hold the information for us in New Zealand and overseas. We will take reasonable steps to ensure that your information is protected from loss, unauthorised access, use, modification, or disclosure (or other misuse).

Your rights to access and correct your information

You can ask us to provide you with the information we hold about you and request corrections to it. There may be a charge for providing you this information, but we'll let you know if this is the case before we provide you the information. All requests for access and correction to your personal information will be subject to the provisions of Privacy Act 2020.

If you would like to request access to the information we hold about you or request a correction, please contact us at privacy@nzregco.com.