

NZ RegCo Privacy Statement

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

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

“Personal information” is defined in the Privacy Act 2020 to mean information about an identifiable individual. Personal information is any information which tells us something about an identifiable individual. The information does not need to name the individual, as long as the information can identify them in other ways, such as through their residential address.

What personal information does NZ RegCo collect?

NZ RegCo may collect personal information about the following individuals:

- registered holders and underlying owners of financial products that are quoted on NZX’s licenced markets;
- employees and directors of existing and prospective listed issuers, and existing and prospective market participants, including NZX accredited dealers and advisers;
- NZX and NZ RegCo directors and employees;
- candidates for directorship of, or 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’s business.

The kinds of personal information that NZ RegCo collects and holds about you will depend on the purpose for which that information is provided to, or collected by, NZ RegCo. Personal information collected may include:

- name, date of birth, personal contact details (including email address, phone numbers, and address) and business contact details (including email, phone numbers, address, employer and job title);
- billing and payment details;
- records and copies of your correspondence with us;
- voice recordings provided to us by third parties, such as NZX Participants;
- IP address, computer name, and login details for NZ RegCo’s systems and portals (such as the Participant Portal);
- financial holdings information, shareholder status, and other information collected under NZX’s market rules and procedures;
- unique identifiers such as a Common Shareholder Number; and
- any other information required for the purposes of collection described below.

¹ References to “NZ RegCo”, “we”, or “us” are to NZX Regulation Limited. References to “NZX” are to NZX Limited and references to “NZX Group” are to NZX Limited and its subsidiaries.

If information about you is provided to us by a third party (such as an NZX Participant) this information will be collected, stored, used, and shared, as the case may be, in accordance with 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;
- from NZX Group systems used to operate the NZX Group trading and clearing systems;
- in some circumstances from third parties, including other regulatory agencies and service providers, authorised to provide us with such information;
- through recruitment processes; and
- from publicly available sources.

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

NZ RegCo will not collect, use or share 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, use, and share your personal information:

- to enable NZ RegCo to (i) carry out its functions in relation to the regulation of the operations of NZX's licensed markets;² (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;³
- to enable NZ RegCo to perform its contractual obligations, including contracts for products or services received from, or provided to, third parties;
- where you have provided us with consent to use or share personal information, or where we have reasonable grounds to believe a third party (such as the organisation you represent) has obtained your consent to us using or sharing the personal information;
- to administer its relationships with NZX and NZ RegCo directors, employees, and contractors;
- to enable the resolution of a concern or complaint;
- to enable NZ RegCo to monitor and ensure compliance with NZX Group policies by NZX Group staff, including NZX's Conflicts Management Policy, Code of Conduct, and Financial Products Trading Policy; and
- where NZ RegCo is considering engaging potential services and service providers.

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 2013.

³ Including to discharge statutory obligations imposed on members of the NZX Group under the Financial Markets Conduct Act 2013, including as a licensed market operator, clearing and settlement system operator, or other licensed or regulated business.

Personal information can also be used when:

- it is for a directly related purpose for which it was collected;
- the information is anonymised so you cannot be identified; or
- you authorise the use for a new purpose.

In certain situations, failing to provide your personal information to NZ RegCo will prevent NZ RegCo from being able to effectively perform its regulatory functions, for example where we need to collect personal information to administer the 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;
- persons to whom NZ RegCo is required to disclose information under a legal or regulatory obligation or power, such as 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;
- persons to whom the information may be disclosed pursuant to NZX's market rules; and
- third parties under contracts -which we enter into for the provision of services.

Unique identifiers

Unique identifiers such as your Common Shareholder Number or IRD number will generally only be collected where required by law or in accordance with the Privacy Act 2020. NZ RegCo does not assign unique identifiers to individuals.

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 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 a third party, such transfer will be subject to the Privacy Act 2020.

Data security

We will not keep personal information for longer than is required or necessary to fulfil the purposes for which the information was obtained. 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 will 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 treated in accordance with Privacy Act 2020.

If you would like to request access to your personal information or to request a correction, please contact us at privacy@nzregco.com.