

Privacy and Data Policy

Last updated: 1 December 2020

REALTECH is committed to respecting the privacy and security of information received from User(s) of our website or services. This Privacy and Data Policy sets out our compliance with both New Zealand privacy laws (including the Privacy Act 2020), and the European Union General Data Protection Regulations (“GDPR”).

We’ve updated our Privacy and Data Policy to ensure that we communicate to Users, in the clearest way possible, how we comply with these legal requirements, how we collect, use, disclose or transfer Personal Information supplied by Users or collected by us and the ways in which users can protect their privacy.

Our Privacy and Data Policy also specifies other requirements, such as how Users may access, correct and delete information held about them.

By using our services, or accessing our website, Users agree to comply with the terms and conditions of this Privacy and Data Policy and agree that REALTECH may process (i.e. collect, use, store, transfer, disclose or otherwise process) User’s Personal Information in accordance with this Privacy and Data Policy (as well as for any other use authorised by the User).

Our Privacy and Data Policy explains:

- (1) Consent;
- (2) What information we collect and how;
- (3) How we use Personal Information;
- (4) Who we share Personal Information with and why;
- (5) The steps taken to protect Personal Information under our control;
- (6) Users’ data protection rights;
- (7) Communications;
- (8) Links and connections to third party services;
- (9) International data transfers;
- (10) How REALTECH retains and deletes Personal Information;
- (11) How to access and update Personal Information; and
- (12) How to contact us.

1. USER CONSENT

REALTECH provides technology consulting services and supply various technology products and services, including products and services supplied by third party providers (together, “our services”). We collect Personal Information in order to be able to provide and improve our services, and for the other uses described below.

By using our services, accessing our website or providing Personal Information to us, Users consent to our collection, storage, use and disclosure of Personal Information (including any sensitive information provided) in accordance with this Privacy and Data Policy.

2. INFORMATION WE COLLECT

There are three ways we collect information:

- (1) Information Users give us.
- (2) Information we collect when Users use our services.
- (3) Information we collect from third parties.

(a) Information Users Give Us

In order to purchase or use our services, a User must provide us with certain contact, billing and Personal Information including name, address, phone number, email address, industry specific information and company information. Users may also at times provide financial information.

Users may also provide us with information when they:

- Purchase our services;
- Register product information with us;
- Create User accounts and logins;
- Register for events promoted or hosted by us;
- Subscribe to receive the latest news on our services, and the goods and services of our partners and third party service providers; or
- Contact our support team.

Users can always choose not to provide us with Personal Information, however this may mean that we are unable to supply our services effectively, or at all.

(b) Information We Collect from Use of Our Services

We may automatically collect information (which may include Personal Information) when Users interact with or use our services by visiting our website or communicating with us or our partners. This information may include:

- **System information:** We may collect information about User system(s) including, but not limited to, the User operating system, applications, IP address, and where applicable, host ID, and other User system environment information.
- **Usage information:** We collect information about how Users and their system environment interact with our services. Information that may be collected includes:
 - Information relating to the features Users use;
 - The performance of the services and any problems experienced by Users;
 - The pages that Users visit on our website;
 - Website content accessed by Users;
 - Length of the Users' stay on a specific page; and
 - Browser information.
- **Location:** When Users use our services (including our website), we may collect and process information about the User's location. We use various technologies to determine location, including IP addresses and web analytics.
- **Device information:** When Users use some of our services, we may receive information about the User's device, such as the hardware model, operating system version, unique device identifier and mobile network information (including phone number).

- **Cookies and similar technology:** We ask Users for their consent on our website before using cookies. We use cookies, web beacons and similar technologies to provide our services, and to help collect data.

For example, when Users visit our website, we collect information about the pages visited, the User's browser and the User's device. A cookie is a small element of data that a website can send to the User's browser, which may then be stored on the hard drive (session ID cookies will terminate once Users simply close the browser, persistent cookies may however be stored on the User's hard drive for an extended period of time). A cookie does not identify a User personally, but it does identify the User's computer. Cookies allow us, among other things, to monitor traffic patterns, store User preferences and settings, analyse how our services are performing and enable Users to login. Users should be aware that most web browsers are set to accept cookies by default, but allow settings to be adjusted to remove or block cookies. Please note however that rejecting or removing cookies could affect the availability and functionality of our website features, or our services.

- **Analytics and advertising:** Our website may use the following analytics and advertising services to assist our marketing and promotional activities:

Google Analytics: For the purpose of customizing and continually optimizing our website, we may use Google Analytics, a web analytics service provided by Google Inc ("Google").

In this service, pseudonymised usage profiles are created and cookies are used to generate information about your use of this website such as browser type / version, operating system, referrer URL (the previously visited page), IP address for your computer or device, date and time. This information is transmitted to a Google server in the US and stored there. The information is used to evaluate the use of our website, to compile reports on website activity and to provide other services related to website activity and internet usage for the purposes of market research and our website design. This information may also be transferred to third parties if required by law or if third parties process this data. Under no circumstances will your IP address be merged with any other data provided by Google. The IP addresses are anonymized. You can prevent the collection of data generated by the cookie and related to your use of the website (including your IP address) and the processing of this data by Google by downloading and installing a browser add-on (<https://tools.google.com/dlpage/gaoptout?hl=en>). For more information about privacy related to Google Analytics, see the Google Analytics information at <https://support.google.com/analytics/answer/6004245?hl=en>).

To statistically record the use of our website and to evaluate it for the purpose of optimizing our website, we may also use Google conversion tracking. In doing so, Google Adwords will set a cookie on your computer if you have reached our website via a Google ad. These cookies lose their validity after 30 days and are not used for personal identification. If the User visits certain pages of the Adwords customer's website and the cookie has not yet expired, Google can detect that the User had previously clicked on the ad and was redirected to this page. Every Adwords customer receives a different cookie. Cookies cannot be tracked via the websites of Adwords customers. The information obtained through the conversion cookie is used to generate conversion statistics for Adwords customers who have opted for conversion tracking. Adwords customers are informed about the total number of Users who clicked on their ad and were redirected to a conversion tracking tag page. However, they do not receive information that personally identifies Users. If you do not want to participate in the tracking process, you can also refuse the setting of a cookie - for example, via a browser setting that generally disables the automatic setting of cookies. You can also disable cookies for conversion tracking by setting your browser to block cookies from the domain "www.googleadservices.com". Google's privacy policy on conversion tracking can be found here (<https://services.google.com/sitestats/en.html>).

- **Social Media Plug-ins:** Our website has built in social media plug-ins from the social networks Twitter and LinkedIn to make our company better known, and personalise usage.

Twitter: Our website integrates plug-ins of the messaging network of Twitter Inc. ("Twitter"). When you visit a page of our website that contains a Twitter plug-in, a direct connection is established between your browser and the Twitter server. Twitter receives the information that you have visited our site with your IP address. If you click on the Twitter "tweet button" while logged in to your Twitter account, you can link the contents of our pages to your Twitter profile. This allows Twitter to associate your visit to our pages with your User account. We are not aware of the content of the transmitted data and their use by Twitter. If you do not want Twitter to associate your visit to our pages, please log out of your Twitter account before visiting our website. Further information can be found in the Privacy Policy of Twitter at <https://twitter.com/privacy>.

LinkedIn: Our website also uses LinkedIn's social plug-in operated by the LinkedIn Ireland Unlimited Company, Wilton Plaza, Wilton Place, Dublin 2, Ireland. When you visit a page of our website that contains such a plug-in, your browser connects directly to LinkedIn's servers. The content of the plug-in is transmitted by LinkedIn directly to your browser and integrated into the page. Through this integration, LinkedIn receives the information that your browser has accessed the corresponding page of our website, even if you do not have a LinkedIn profile or are currently not logged in to LinkedIn. This information (including your IP address) is sent directly from your browser to a LinkedIn server and stored there. If you are logged in to LinkedIn, LinkedIn can instantly associate your visit to our website with your LinkedIn account. If you interact with the plug-ins, for example by clicking on the "LinkedIn" button, this information will also be transmitted directly to a LinkedIn server in the US and stored there. If you do not want LinkedIn to directly associate the data collected through our website with your LinkedIn account, you must log out of LinkedIn before visiting our website. For more information, see LinkedIn's Privacy Policy at <https://www.linkedin.com/legal/privacy-policy>.

- **Other Third Party Service Providers:** We may use other third party service providers to assist our communications, surveys and other interactions with Users. For example:

Mailchimp: We use Mailchimp, which provides online tools that can be used to create, send, and manage emails. Mailchimp may collect Personal Information, such as distribution lists which contain email addresses, and other information relating to those email addresses. For further information about the type of Personal Information Mailchimp collects, refer to the Mailchimp Privacy Policy at <https://mailchimp.com/legal/privacy/>. Mailchimp is based in the United States and the data will be transmitted to and stored by Mailchimp on servers located outside New Zealand.

Consent to Disclosure/Collection: By using our website or social media pages, or otherwise interacting with us, you:

- Acknowledge that, for information transmitted to Google (through use of Google Analytics, AdWords, cookies or similar technology), the Social Media Plug-ins and services identified above, and the Other Third Party Service Providers identified above, those third parties may not be required to protect the information in a way that, overall, provides comparable safeguards to those in the Privacy Act 2020; and
- Authorise the disclosure of your information to those third parties, or collection of your information by those third parties.

(c) Information We Collect from Third Parties

We work closely with third parties (for example, our reseller partners, other business partners and service providers) in order to be able to develop and supply our services, and provide them to Users.

We may receive the same kinds of information described in (a) and (b) above from third parties.

Personal Information Received from Users about Others

When using our services, Users may disclose, and we may collect, Personal Information about someone else. For example, data supplied by Users may contain Personal Information relating to the customers, or employees of Users.

Before disclosing Personal Information to us about someone else, Users must ensure that they have obtained sufficient consent to disclose that information to us, and that, without taking any further steps required by applicable data protection or privacy laws, we may collect, use, transfer and disclose such information for the purposes described in this Policy.

Users shall remain responsible for all Personal Information collected and processed by the User, and for compliance with applicable privacy and data protection laws.

3. HOW WE USE PERSONAL INFORMATION

We collect and use Personal Information in order to be able to provide and improve our services.

We also use Personal Information to:

- Communicate, interact and build our relationship with Users, including to better understand Users' needs and interests, and ensure a quality experience for Users;
- Monitor, develop or optimise the performance of our services;
- Protect and enhance the safety and security of our services;
- Provide information and technical support;
- Carry out billing and licence administration;
- Market and make recommendations on our services;
- Allow our partners and third party providers to provide their services and support to Users;
- Conduct, manage, develop and protect our business;
- Enforce our terms of service and customer agreements;
- Comply with laws and regulations in applicable jurisdictions;
- Verify Users' identities and prevent fraud or other unauthorised or illegal activity; and
- Enable third parties to provide services to us.

For these purposes we may receive, use, store, share, send, combine, transform, reformat, encrypt, mask, organise, geomap, update and delete Personal Information (and undertake any further processing activities expressed or implied in this Policy). The Personal Information that we collect will not be further processed in ways that are incompatible with the initial purposes for which the data was collected.

4. WHO WE SHARE INFORMATION WITH

We share information, including Personal Information, as necessary to provide Users the service requested or authorised. For example, we may share information with:

- Banks and other entities which process payment transactions when a payment is made;
- Affiliates, subsidiaries and related companies. REALTECH is part of a global business with its headquarters situated in Germany;

- Our partners and third party providers to provide products and services to the User, to communicate with Users (for example, information shared with communication service providers), to provide Users with information on the performance of our services or the services supplied by our partners and third party providers or, to provide Users with remote access or to provide notifications;
- Our service providers or suppliers acting and working on our behalf. For example, companies we have hired to assist in protecting and securing our systems and services may need access to Personal Information to provide those services, or may obtain. In such cases, we will require these entities to abide by our data privacy and security requirements, and restrict use of any Personal Information received from us;
- Other third parties, when we have a good faith belief that doing so is necessary to:
 - (1) Comply with any applicable law, regulation, legal process or enforceable governmental request;
 - (2) Protect our Users;
 - (3) Operate and maintain the security of our services, including to prevent or stop an attack on our computer systems or networks;
 - (4) Detect, prevent or otherwise address fraud; or
 - (5) Protect our rights and property, including enforcing our terms of service and customer agreements.
- A purchaser, as part of a corporate transaction such as an acquisition, merger or sale of assets.

From time to time we may use third-party data processors to provide elements of services for us. For example, we use an external data centre in New Zealand (currently, Outsource IT Limited) to host various business data for us. We will have contracts in place with all of our data processors, to prevent them from doing anything with Users' Personal Information unless we or the User has instructed them to do so. Unless the User agrees otherwise, our data processors will:

- Not share Users' Personal Information with any organisation apart from us; and
- Hold Users' Personal Information securely and retain it for the period we instruct.

We require that our service providers, suppliers and business partners (data processors) agree to keep all User information we share with them confidential. While we provide these third parties with no more information than is necessary to perform the function for which we engaged them, Users should be aware that any information provided by the User to these third parties independently/directly is subject to the third parties' respective privacy policies and practices.

We may also share or use non-Personal Information (i.e. information that is related to a Person but does not personally identify that individual, such as aggregated, anonymised or de-identified data) publically or with third parties, such as our partners or third party suppliers. For example, we may share or use information publically to show trends about the general use of our services. This data or information will in no way identify Users or any other individual.

5. STEPS TAKEN TO PROTECT PERSONAL INFORMATION

Protecting the security of User Personal Information is of the utmost importance to REALTECH. We maintain a variety of safeguards and procedures in order to protect Personal Information from unauthorised access, use, interference, modification or disclosure.

For example, we store Personal Information on computer systems that have password-controlled access and use encryption techniques.

Users' Personal Information will only be accessed by people at REALTECH who need to use the information for the purposes discussed above.

Some of our services do require use of the internet, and the internet is not itself a secure environment. We therefore cannot give an absolute assurance or guarantee that User information will be secure at all times. Transmission of information over the internet or third-party networks is at the User's own risk. We will notify Users at the first reasonable opportunity if we discover or are advised of a material security breach which has resulted in unauthorised access, disclosure or loss of User Personal Information.

To help maintain the security of information, Users agree to keep their passwords and account details private and confidential.

On our website, we use SSL (Secure Socket Layer) technology for establishing an encrypted link between our website and your browser, to achieve the highest level of encryption supported by your browser. In general, this is a 256-bit encryption. If your browser does not support 256-bit encryption, we'll use 128-bit v3 technology instead. Whether a single page of our website is encrypted is shown by the key or lock icon in the lower status bar of your browser.

6. USERS' DATA PROTECTION RIGHTS

Under data protection and privacy laws, Users have rights regarding the Personal Information that we hold/collect. The rights available to Users depend on our reason for processing Users' Personal information. These rights include:

- **Right of access:** Users have the right to ask us for copies of their Personal Information. This right always applies.
- **Right to correction:** Users have the right to ask us to update or correct information they think is inaccurate. Users also have the right to ask us to complete information that the User thinks is incomplete. Users are responsible for ensuring that Personal Information provided to us is accurate, complete and up-to-date. We will take reasonable steps to ensure that any further Personal Information that we collect (i.e. information obtained from other sources) is accurate, up-to-date, complete and not misleading.
- **Right to erasure:** Users have the right to ask us to erase their Personal Information in certain circumstances.
- **Right to restriction of processing:** Users have the right to ask us to restrict or cease the processing of their information in certain circumstances. This may (depending upon the circumstances) include the collection of Personal Information from third parties, collection of sensitive information, disclosure of Personal Information to third parties, transfer of Personal Information overseas, or processing of Personal Information in a particular way, or for a particular purpose, including direct marketing.
- **Right to data portability:** This only applies to information Users have given us. Users have the right to ask that we transfer the information Users have given us from one organisation to another, or give it to the User. This right only applies if we are processing information based on Users' consent, or under (or in talks about entering into) a contract and the processing is automated.

All requests should be sent to us at info@realtech.co.nz, and include the words 'Attention: The Privacy Officer'. User choices in relation to Personal Information may affect our ability to provide our services, or the performance of the services. We will respond to Users as soon as reasonably practicable regarding the impact of the User's requests on the services, any other issues arising and to confirm the User's intention to proceed. If we are unable to comply with the request, we will give the User reasons for this decision when we respond (for example, the information may not be readily retrievable and it may not be reasonable or practicable for us to process the request in the manner

sought. In some instances, it may also be necessary for us to arrange access to User Personal Information through a third party e.g. a reseller or third party supplier).

7. COMMUNICATIONS

We are committed to full compliance with the Unsolicited Electronic Messages Act 2007.

By subscribing to email communications, or otherwise providing an email address, Users consent to receiving emails which promote and market our services, or the products and services of others, from time to time.

Users can unsubscribe from our email communications at any time by clicking the "Unsubscribe" link in any promotional or marketing email, or by emailing info@realtech.co.nz, and include the words 'Attention: The Privacy Officer'.

Once a User has unsubscribed from the email communications, the User will be removed from the corresponding email/distribution list as soon as is reasonably practicable.

8. LINKS AND CONNECTIONS TO THIRD PARTY SERVICES

Our website contains links to (and may be used by Users in conjunction with) third-party services, tools, and websites that are not controlled or managed by us. This Privacy and Data Policy does not cover how these organisations process Personal Information. These websites may use cookies. It is the responsibility of those third parties to collect appropriate consents from Users in order to permit their own cookies (to the extent this is required by law) and to inform Users about the cookies they use. Users should check the privacy policy on all third-party websites to ensure they are comfortable with third party cookies.

We have no responsibility for linked websites, and provide them solely for Users' 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.

Disclosure of Personal Information by Users to third party service providers is at the User's own risk, and we encourage Users to read the privacy policies applicable to these third-party services. We are not responsible for the security or privacy of any information collected by these third-parties.

9. INTERNATIONAL DATA TRANSFERS

REALTECH is a global organisation with operations, processes and systems which cross borders. We strive to comply with all applicable laws designed to protect privacy in the jurisdictions in which we do business.

When we disclose, use or store data, it may be transferred to, and processed in, countries other than New Zealand. In those countries, there may be differences with New Zealand's privacy laws.

For example, we use Office 365, Teams, SharePoint and OneDrive within our business. These cloud services are provided by Microsoft which processes and stores New Zealand user data in New South Wales and Victoria, Australia. For more information on Office 365, Teams, SharePoint and OneDrive's data protection and privacy, see Microsoft's Privacy Policy at <https://privacy.microsoft.com/en-us/PrivacyStatement>.

This means that Users' Personal Information may be transferred outside of New Zealand. However, where we disclose Personal Information to a third party in another country, we place or obtain safeguards to ensure Users' Personal Information is protected (except as expressly disclosed in this

Policy). Where Users' Personal Information is transferred outside New Zealand, it will (except as expressly disclosed in this Policy) only be transferred to:

- Countries that have been identified as being subject to privacy laws that, overall, provide comparable safeguards to those under privacy laws in New Zealand); or
- A foreign Person or entity where we have transfer mechanisms in place to protect Users' Personal Information; or
- A foreign Person or entity that we believe on reasonable grounds is subject to the Privacy Act 2020 (NZ), or is a participant in a prescribed Binding Scheme, or is subject to privacy laws of a Prescribed Country; or
- A recipient that has agreed to data protection and privacy commitments that, overall, provide comparable safeguards to those under privacy laws in New Zealand.

For further information, please contact us using the details set out in the contact section below.

10. RETENTION AND DELETION OF PERSONAL INFORMATION

The period of time for which we hold Personal Information that we have collected varies according to what the Personal Information is used or required for, and whether we have an ongoing need to retain it (for example, to provide Users with a service they have requested or to comply with applicable legal requirements such as financial record-keeping legislation).

Unless there is a legal requirement or justification for us to keep the Personal Information, we will retain it for no longer than is necessary:

- To provide the services requested by the User;
- As part of our usual business record-keeping practices;
- To fulfil the purpose(s) for which the Personal Information was originally collected;
- In accordance with our internal retention policies and practices; or
- For any other purpose(s) authorised by the User.

Once Personal Information is no longer required, the Personal Information will be deleted, securely destroyed or anonymised.

11. ACCESSING AND UPDATING USER PERSONAL INFORMATION

Users are responsible for ensuring that Personal Information provided to us is accurate, complete and up-to-date. This includes personal or sensitive information contained in their User content. We will also take reasonable steps to ensure that any Personal Information that we collect (i.e. information obtained from other sources) is accurate, up-to-date, complete and not misleading.

We endeavour to provide Users with reasonable access to Personal Information we hold about Users, and Users may request that we update, correct or delete any Personal Information that is inaccurate or inappropriate for the purposes for which it was collected.

Requests for access to, or the correction of, Personal Information should be emailed to info@realtech.co.nz, and include the words 'Attention: The Privacy Officer'.

We will process requests as soon as reasonably practicable, provided we are not otherwise prevented from doing so by law. If we are unable to meet a User's request, we will explain the reasons why when we respond to the User's request. For example, the information may not be readily retrievable and it may not be reasonable or practicable for us to process the request in the manner requested.

12. HOW TO CONTACT US

Please contact us if you have any questions or complaints about this Privacy and Data Policy, if you wish to access, update, erase and/or correct Personal Information, or if you otherwise have a question or complaint about the manner in which we, our service providers or our partners treat Personal Information.

Users may write to REALTECH' Privacy Officer by email, including any supporting documentation, at info@realtech.co.nz, and include the words 'Attention: The Privacy Officer'.

Alternatively, you can write to us at:

REALTECH Limited
Attention: Privacy Officer
PO Box 8300
Symonds Street
Auckland 1050
New Zealand

We will endeavour to respond within 30 days.

Application of this Privacy and Data Policy

Our Privacy and Data Policy applies to all of the services offered by us. Our Privacy and Data Policy does not cover the information practices of other companies and organisations (such as our partners or third party service providers) that supply, contract and advertise using our website.

Changes to this Privacy and Data Policy

We keep this Policy under regular review to make sure it is up to date and accurate. We also reserve the right to change this Policy from time to time, as our practices evolve to meet new requirements, standards, technologies and customer feedback. We will post any privacy policy changes on our website (<https://www.realtech.co.nz/privacy-statement/>) and will update the "last updated" date at the top of this Policy. Continued use of our services by Users will be deemed acceptance of any amended Policy.

We recommend that Users regularly review this Policy to learn how we protect Personal Information.

Definitions

In this Policy, unless the context requires otherwise:

Binding Scheme	means a binding scheme specified in regulations made under section 213 of the Privacy Act 2020 (NZ);
Person	means and includes any natural person, company, corporation, firm, partnership, joint venture, society, organisation or other group or association of Persons (whether incorporated or not), trust, state or agency of state, statutory or regulatory body, local authority, government or governmental or semi-governmental body or agency (in each case whether or not having separate legal personality);
Personal Information	means information about an identifiable individual and includes, without limitation, names, addresses, phone numbers, email addresses and IP addresses;
Prescribed Country	means a country specified in regulations made under section 214 of the Privacy Act 2020 (NZ);
User(s)	means all Persons accessing our website and/or using our services (including any part of the services), including Persons that load and/or manage content on our website or that receive or subscribe for any other paid services, and/or any Persons providing Personal Information to us;
User account	means any User's account with us;
we, us, our, REALTECH	means Realtech Limited.