

European Union General Data Protection Regulation (EU GDPR)

Privacy Statement

2 August 2021 Version 3

Privacy Statement

We respect your personal data and this privacy notice explains how we handle your personal data and your privacy rights. We take appropriate measures to ensure we can engage securely with and for our customers.

This notice applies to the collection and processing of your personal data (including credit information) if you are in a country that is a member of the European Economic Area (EEA) by or on behalf of Bank of New Zealand (company number 428849) and its related companies as defined in section 2(3) of the New Zealand Companies Act 1993, 'company' includes a company or other body corporate incorporated in New Zealand or any other jurisdiction and including each of our successors or assignees ('we', 'us', and 'BNZ').

This notice tells you how we collect and process your personal data and the legal basis for processing it, what we use it for, and who we share it with. It also explains particular rights you have in relation to the processing of your personal data. We are grateful for the trust and confidence you have in us to safeguard your privacy.

If a conflict or ambiguity arises between the terms of this Privacy Statement and any other BNZ Privacy Policy, Privacy Statement, or the privacy section in BNZ's Terms and Conditions, a mutually consistent meaning shall be sought. If impossible, then the terms of this Privacy Statement will take precedence.

Contact us

We care about your privacy and welcome your feedback. Please contact us if you have any questions or comments about this notice, BNZ's privacy policies and procedures, or you wish to exercise the rights you have under applicable privacy laws, which are explained further below.

You can contact us by using our feedback email address: **dataprotectionofficer@bnz.co.nz**

Otherwise, you can write to us at:

**Office of the Data Protection Officer
BNZ
Private Bag 39806
Wellington Mail Centre
Lower Hutt 5045
New Zealand**

Office of the Data Protection Officer and BNZ's compliance with the GDPR

BNZ's 'Office of the Data Protection Officer' monitors and advises on compliance with the EU General Data Protection Regulation 2016/679 (the 'GDPR') which applies to BNZ when processing the personal data of individuals (data subjects) who are in countries in the EEA in relation to offering them BNZ's products or services or monitoring their behaviour when in those countries.

The contact details of BNZ's 'Office of the Data Protection Officer' are as follows:

dataprotectionofficer@bnz.co.nz

BNZ is a data controller for our website, services provided through our website at the address shown above, and all other services provided by BNZ and its related companies.

Personal data we collect from you

We may collect personal data about you (or your business) from you or any of our related companies, including the following.

Data you give to us:

- when you apply for our products and services
- when you talk to us on the phone or in branch, including recorded calls and notes we make
- when you use our websites, mobile device apps, and web chat services
- in emails and letters
- in insurance claims or other documents
- in financial reviews and interviews
- in customer surveys
- if you take part in our competitions or promotions.

Data we collect when you use our services

This covers two things. Firstly, it covers details about how and where you access our services, and secondly, account activity that is shown on your statement.

- Payment and transaction data - this includes the amount, frequency, type, location, origin, and recipients. If you borrow money, it also includes details of repayments and whether they are made on time and in full. If you have an insurance product, it will include details of your policies or claims.
- Profile and usage data - this includes the security details you create and use to connect to our services. It also includes your settings and marketing choices. We also gather data from the devices you use (such as computers and mobile phones) to connect to our internet, mobile, and telephone banking services. We also use cookies and other internet tracking software to collect data while you are using our websites or mobile apps. If you would like further information regarding BNZ's use of cookies and other online data collection, please see our website Privacy Policy available at <https://www.bnz.co.nz/support/security/security-online/our-privacy-policy>

Categories of personal data

The categories of information that we collect from other sources include the following:

- Identity verification (from government agencies, background checking companies) to protect you against fraud;
- Credit reports (from credit checking agencies);
- Referee checks (loan application - from current and former employers, landlords, real estate agents, or other referees);
- Financial history (including becoming insolvent / bankrupt);
- Property information (in relation to loan applications, valuers, agents, referrers, brokers, mortgage managers, solicitors, conveyancers, and settlement agents);
- Organisations involved in the securitisation of our loans such as loan servicers, trust managers, trustees, and security trustees;
- Companies that introduce you to us (such as a store or car dealership offering finance deals through us);
- Credit card providers like Visa and Mastercard;
- Insurers; and
- Social networks (for instance, when you click on one of our Facebook or Google ads).

Sources of personal data

Sometimes we collect information about you from other sources. We may collect information about you that is publicly available (for example from public registers or social media) or made available by third parties.

For instance, we do this where:

- we distribute or arrange products on behalf of others, including our business partners;
- we can't get hold of you and need to update your contact details;
- we need information from third parties about an application you make through us;
- we need information for fraud prevention purposes;
- we are checking the security you are offering;
- we can learn insights about your financial needs, such as through property information;
- you have consented to third parties sharing it with us, such as organisations we have loyalty programmes with or we sponsor;
- at your request, we exchange information with your legal or financial advisers or other representatives.

We may use or disclose information about you in order to combine the information that we hold with information collected from or held by external sources (for example, Land Information New Zealand). We do this in order to enable the development of customer insights about you so that we can serve you better. This includes being able to better understand your preferences and interests, personalise your experience, enhance the products and services you receive, and to tell you about products and services that may be of interest to you.

Where those insights are provided to others, such insights are based on aggregated information and do not contain any information that identifies you. We may also use service providers to undertake the process of creating these consumer insights.

How we use and process the personal data we collect about you

We may use and process your information to:

- perform our contract with you and respond to your related requests;
- provide you with the product or service you asked or applied for, or in order to respond to your request before we provide the product or service (e.g. checking your information with others on your request) including to give you information about the product or service including financial help, guidance, and advice;
- consider whether you are eligible for a product or service you have asked for, including identifying or verifying you or your authority to act on behalf of a customer;
- process your application and provide you with a product or service;
- administer the product or service we provide you, which includes answering your requests and complaints, varying products and services, and managing our relevant product portfolios;
- determine whether a beneficiary will be paid a benefit;
- receive and manage insurance claims;
- meet our internal operational requirements, such as credit and risk management, our funding requirements,
- system or product development and planning, insurance, audit, and administrative purposes (for example, providing credit cards and statements or conducting credit checks on guarantors);
- collect any money owed by you (for example, providing credit agencies with information about a default by you or your guarantor);
- enforce or defend our rights; or
- as part of our investment services, provide you with custodial services or register investments in your own name with either a registry or fund manager if you choose to transfer your investments out of custody.

We may also use and process your credit information to:

- a) enable a mortgage insurer to assess the risk of providing insurance to us or to address our contractual arrangements with the insurer;
- b) assess whether to accept a guarantor or the risk of a guarantor being unable to meet their obligations;
- c) consider hardship requests; or
- d) assess whether to securitise loans and to arrange the securitising of loans.

In connection with our legitimate interests in carrying on our business

We may use your information for our legitimate interests (where we have considered these are not overridden by your rights and which you have the right to object to as explained below) in:

- identifying opportunities to improve our service to you and improving our service to you;
- conducting market research to serve you better by understanding your preferences to ensure we send you appropriate promotions and campaigns;
- conduct marketing activities, including deciding what email marketing information to send to you and, in conjunction with our digital advertising partners, where to place adverts on websites and social media;
- assisting in arrangements with other organisations (such as loyalty program partners) in relation to a product or service we make available to you;
- allowing us to run our business and perform administrative and operational tasks (such as training staff, risk management; developing and marketing products and services, undertaking planning, research and statistical analysis; and systems development and testing, keeping our records up to date, being efficient about how we fulfil our legal and contractual duties);
- making sure we can correct any errors in the services you have received, such as contacting you to arrange refunds;
- verifying identity, preventing or investigating any fraud or crime, or any suspected fraud or crime;
- to monitor your accounts and any BNZ product/service you use for the purpose of preventing misuse or unauthorised use of any BNZ product/service, detecting any fraud or crime, or for money laundering and counter financing of terrorism purposes in connection with any laws, rules, or regulations in New Zealand or overseas.

Under a legal obligation

We may also use and process your personal information where we are required by applicable domestic and international laws, regulations, rules, or codes that bind us, in particular as a financial institution. In particular, we can use your personal information to:

- a) help us comply with laws, rules, or regulations in New Zealand or overseas, or any New Zealand or overseas legislative or regulatory requests; or
- b) monitor your accounts and any BNZ product/service you use for the purpose of preventing misuse or unauthorised use of any BNZ product/service, detecting any fraud or crime, or for money laundering and counter financing of terrorism purposes in connection with any laws, rules, or regulations in New Zealand or overseas.

In addition, you agree to provide us with information we ask for to help us comply with these laws, regulations, rules, or codes in New Zealand or overseas.

With your consent

Where required under GDPR and where we rely on consent as the legal basis of the processing, we'll only use your personal data for the purpose for which you have given your valid or explicit consent for, which we'll ensure we have obtained before we process your information.

Some information you provide us in connection with your application for or the administering of a product or service we provide you, may be more sensitive and therefore falls within a special category of personal data, such as health information. We'll collect and process this information only with your explicit consent or where we have a strong legal basis for this processing.

The legal basis for the processing

Each time we process your personal data for the purposes set out above, we'll ensure that we have a legal basis for that processing. This processing will be based on one or more of the following grounds:

- To fulfil a contract we have with you, or
- When it is our legal duty, or
- When it is in our legitimate interest, or
- When you consent to it, or
- Substantial public interest (such as fraudulent behaviour).

When the law authorises or requires us to collect information

We may collect information about you via application forms, online, or in person, because we are required or authorised by law to collect it, or where a contractual requirement exists, or the collection is necessary in order to enter into a contract with you.

There are laws that affect financial institutions, including company and tax law which require us to collect personal data. For example, we require personal data to verify your identity under anti-money laundering laws.

What happens if you don't provide your information to us?

You can choose not to give us personal information. However, if you don't provide your information to us, we may not be able to:

- provide you with the product or service you want;
- respond to your requests;

- manage or administer your product or service;
- personalise your experience with us; or
- verify your identity or protect against fraud.

Automated decision making

You have the right not to be subject to a decision made solely by automated processing. If you have concerns

or questions, please contact us (please refer to the 'Contact Us' section of this Privacy Statement).

Sharing your information

We may share your information with other organisations consistent with the purposes for which we use and process your information as described above. This includes with the entities described below.

Sharing with BNZ's related companies

We may share your personal data with other BNZ related companies. This could depend on the product or service you have applied for and the BNZ related companies you are dealing with. Where appropriate we integrate the information we hold across the BNZ related companies to provide us with a complete understanding of you and your needs in connection with the product or services we are providing you, including giving you access to the BNZ related companies or related products you hold via Internet Banking.

Sharing at your request

At your request, we'll share your personal data with your representative or any person acting on your behalf (for example, financial advisers, lawyers, attorneys, conveyancers, accountants, executors, administrators, trustees, guardians, brokers, or auditors) and your referee such as your employer (to confirm details about you). We'll also share your personal data with service providers you use and ask us to share your data with, such as accounting platforms.

Sharing with third parties

We may disclose your personal data (some of which may be deidentified) to third parties outside of BNZ related companies including to help us run our sites, many of whom are based outside the EEA. These third parties may include:

- those involved in providing, managing or administering your product or service;
- authorised representatives of BNZ or our related companies who sell products or services on our behalf;
- credit reporting agencies or other approved third parties who are authorised to assess the validity of identification information. As a responsible lender, we participate in comprehensive credit reporting, which means we provide credit reporting agencies with monthly updates on what credit accounts our customers have and whether they are meeting their repayments. Credit reporting agencies may use information disclosed by us to update their credit reporting database, and disclose any information that they hold about you to their own customers, as permitted under the New Zealand Credit Reporting Privacy Code 2020. In addition, we may use any service provided by our credit reporting agencies to receive updates of the information they hold about you;
- insurance and investment organisations, and their advisers and service providers;
- medical professionals, medical facilities, or health authorities who verify any health information you may provide where necessary for insurance purposes;
- real estate agents, valuers and insurers (including lenders' mortgage insurers), re-insurers, claim assessors, and investigators;
- brokers or referrers who refer your application or business to us;
- other financial institutions, such as banks, as well as guarantors and prospective guarantors of your facility;
- organisations involved in debt collecting and law firms;
- fraud reporting agencies (including organisations that assist with fraud investigations and organisations established to identify, investigate and/or prevent any fraud, suspected fraud, crime, suspected crime, or misconduct of a serious nature);
- organisations involved in surveying or registering a security property or which otherwise have an interest in such property;
- organisations we sponsor and loyalty program partners, including organisations that BNZ or our related companies have an arrangement with to jointly offer products or has an alliance with to share information for marketing purposes;
- companies we arrange or distribute products for, such as insurance products;
- rating agencies to the extent necessary to allow the rating agency to rate particular investments;
- any party involved in securitising your facility, including loan servicers, trust managers, trustees, and security trustees;
- service providers that maintain, review, and develop our business systems, procedures, and technology infrastructure, including testing or upgrading our computer systems;
- payments systems organisations including merchants, payment organisations, and organisations that produce cards, cheque books, or statements for us;
- organisations involved in a corporate re-organisation or transfer of BNZ or related companies' assets or business;
- organisations that assist with our product planning, analytics, research, and development;
- mailing houses and media organisations who assist us to communicate with you, including media or social networking sites;
- other organisations involved in our normal business practices, including our agents and contractors, as well as our accountants, auditors, or lawyers and other external advisers (e.g. consultants and any independent customer advocates); and
- government or regulatory bodies (including the New Zealand Financial Markets Authority, Commerce Commission, New Zealand Privacy Commissioner, Reserve Bank of New Zealand, and the New Zealand Inland Revenue) as required or authorised by law (in some instances these bodies may share it with relevant foreign authorities).

Sharing outside of New Zealand

We run our business in New Zealand.

We may need to share some of the personal information (including credit information) we collect about you with organisations both inside and outside New Zealand, sometimes we may need to ask you before this happens. We confirm that BNZ has contractual safeguards in place to protect your information when it is transferred outside of the EEA or New Zealand.

We may store some of your personal information in Australia as part of BNZ's relationship with the National Bank of Australia and the National Bank of Australia will be the 'processor' for these purposes.

We may store your information in cloud or other types of networked or electronic storage. As electronic

or networked storage can be accessed from various countries via an internet connection, it's not always practicable to know in which country your information may be accessed or held.

If we or our service providers transfer any of your personal data we collect from you out of the EEA, it will only be done with relevant protections in place. We'll take steps to ensure that your personal data will be afforded the level of protection required of us under and in accordance with our Privacy Statement and applicable data protection laws.

Overseas organisations may be required to disclose information we share with them under an applicable domestic and foreign law.

We'll only keep your information for as long as we require it for our purposes

We're required to keep some of your information for certain periods of time under law, such as the Companies Act, the Anti-Money Laundering and Countering Financing of Terrorism Act, and the Financial Transaction Reporting Act for example.

We are required to keep your information for seven years from the closure of accounts, or otherwise as required for our business operations or by applicable laws.

We may need to retain certain personal data after we cease providing you with products or services to enforce our terms, for fraud prevention, to identify, issue or resolve legal claims, and/or for proper record keeping.

Your personal data rights

How to access your information

Subject to applicable laws, you have the right to access your personal data and to receive a copy of that information.

You can ask us to access your personal data that we hold by emailing dataprotectionofficer@bnz.co.nz

You can also ask that personal data provided by you to us is transmitted to another party.

We may need to verify your identity to respond to your request. We'll respond to any request within a reasonable period permitted under applicable privacy laws and will generally give access unless an exemption applies to certain information.

We'll give you access to your information in the form you want it where it's reasonable and practical. We may charge you a small fee under certain circumstances to cover our costs when giving you access but we'll always confirm this with you first.

If we can't give you access, we'll tell you why in writing and how you can make a complaint about our decision.

How to correct your personal data

You have the right to correction (rectification) of personal data and can contact us if you think there is something wrong with the information we hold about you.

If you are worried that we have given incorrect information to others, we'll tell them about the correction. If we can't, then we'll let you know in writing.

Your right to erasure of your information

You also have in certain circumstances the right to request that the personal data that BNZ collects from you is erased. If we refuse any request you make in relation to this right, we'll tell you why in writing and how you can make a complaint about our decision.

Your right to object to or restrict processing of your information

You may also request that further processing of your personal data is restricted in certain circumstances, including while we investigate your concerns with this information.

Right to object to data processing and right to data portability

You also have in certain circumstances the right to request that the further processing of your information is restricted or to object to its processing and the right to data portability (to receive and have transferred the information you provided). If we refuse any request you make in relation to this right, we'll write to you to explain why and how you can make a complaint about our decision.

Right to withdraw consent

You may withdraw your consent where provided or object to the further processing of your personal data under certain circumstances. If we refuse any request you make in relation to this right, we'll write to you to explain why and how you can make a complaint about our decision.

The withdrawal of your consent will not affect the processing of your information that you had consented to.

How do you make a complaint?

If you have a complaint about how we handle your personal data, we want to hear from you. You are always welcome to contact us. We are committed to resolving your complaint and doing the right thing by our customers. We aim to resolve complaints as quickly as we can.

Write to us:

BNZ Resolve
PO Box 99
Shortland Street
Auckland 1140

Phone: +64 9 924 9241, Mon – Fri, 9am – 5pm NZT

If you still feel your issue or request hasn't been resolved to your satisfaction, then you can escalate your privacy concern to the relevant data protection authority (for example in the place you reside or where you believe we breached your rights).

If your complaint relates to how we handled your access and correction requests you may take your complaint directly to the New Zealand Banking Ombudsman or the New Zealand Privacy Commissioner or the UK Information Commissioner. You are not required to let us try to fix it first.

Contact details for escalating complaints

Need more help?

Office of the New Zealand Banking Ombudsman

- Online: www.bankomb.org.nz
- Phone: +64 (0)4 915 0400
- Email: help@bankomb.org.nz

Office of the New Zealand Privacy Commissioner

- Online: www.privacy.org.nz
- Phone: +64 (0)4 474 7590 or +64 (0)9 302 8680
- Email: investigations@privacy.org.nz

Office of the UK Information Commissioner

- Online: www.ico.org.uk
- Phone: 0303 123 1113
- Live chat: <https://ico.org.uk/global/contact-us/live-chat>

