

**Client Privacy Policy**  
for First Capital Financial Services Limited

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## Purpose

We know that how we collect, use, disclose and protect your information is important to you, and we value your trust. That is why protecting your information and being clear about what we do with it is vital to our relationship with you.

The purpose of this Privacy Policy is to inform our clients and any users of our digital platforms (i.e., our website and social media pages (if any) about how we comply with the requirements of the New Zealand Privacy Act 2020 ("the Privacy Act") in managing personal information.

## Consent to Privacy Policy

Please note that when you contact us through our website or any other medium, you agree to this Privacy Policy. If you do not agree with this Privacy Policy, please do not contact us through any of our digital platforms but call us on 0800 525 515.

## Collection of personal information

Personal information is defined in the Privacy Act as information about an identifiable individual (a natural person as opposed to a company or other legal entity).

### Types of personal information we collect

The personal information we collect will vary depending on the nature of your dealings with us. We only collect necessary personal information. Where reasonable and practicable, we will collect your personal information directly from you and inform you that we are collecting it.

We mainly collect personal information directly from you, for example:

- When meeting in person with you;
- Over the telephone or a video call (such as over Microsoft Teams, Zoom or Skype), e.g., when you contact our staff;
- Through one of our digital platforms like our website;
- When you email or write to us; or
- When you participate in a marketing campaign (or a similar event) administered by our representatives or us.

If it is not obvious that we are collecting personal information from you, we will do our best to make it clear to you so that you are always aware of when information is being collected.

The types of personal information we collect and hold may include:

- Your name and date of birth.
- Your contact details (such as your email address, contact phone numbers, and postal and residential addresses).
- Your family details, including the name and date of birth of family members (if applicable).
- Details relating to your use of any product and/or service we offer.
- Details of your enquiry.
- Details of any preferences you tell us (such as subscription preferences).
- Financial information, such as your bank account number, your tax status and associated tax identifying numbers, your financial goals and objectives, your current and past personal financial circumstances, including information relating to your assets, liabilities and investments, and any other information that we may request or require to obtain a full understanding of your personal financial circumstances and objectives.
- Specific documents to verify your identity and other personal information.
- Information required to determine your suitability for the services we offer.
- Information about which of our services you use and how you use those services, including the activities and transactions you undertake.
- Any correspondence between you and us.
- Information required to satisfy our legal and regulatory obligations, including requirements imposed under the Financial Markets Conduct Act 2013, the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 and the United States Foreign Account Tax Compliance Act (if applicable).

We may also collect personal information about you from:

- Publicly available sources, e.g., via the internet.
- Your professional advisers, e.g., your accountant and solicitor

We collect your personal information from the above parties (other than publicly available sources) where we have received your express consent to do so. We are not responsible for the privacy or security practices of the above parties, and this Privacy Policy does not cover the parties described above.

#### Online device information and cookies

If you are visiting us through our website or social media pages (if any) or engaging with marketing communications we send you, then we collect information about your use and experience on these by using cookies. Cookies are small pieces of data stored on your hard drive or mobile browser. They can record information about your visit to the site, allowing it to remember you the next time you visit and provide a more meaningful experience.

The cookies we send to your computer, mobile phone or other devices cannot read your hard drive, obtain any information from your browser or command your device to perform any action. They are designed not to be sent to another site or retrieved by any non-First Capital website.

When you interact with us through our website or social media pages (if any), the information collected through the cookies may include:

- The date and time of visits;
- Website page (or pages) viewed;
- The website from which you accessed the internet and our website or other digital platforms;
- How you navigate through the website and interact with pages (including any fields completed in forms and applications completed (where applicable));
- Information about your location;
- Information about the device used to visit our digital platform; and
- IP address (or addresses), and the type of web browser used.

We will not ask you to publicly supply personal information over LinkedIn or any other social media platform we use. Sometimes we may invite you to send your details to us through a private message, for example, to answer a question. You may also be asked to share your personal information through secure channels to participate in other activities, such as competitions. Still, we would require your express consent before including you in such activities.

## Purpose of collection and use of personal information

Any personal information you provide to us may be used to:

- Check whether you are eligible for the product or services offered by us;
- Facilitate those services;
- Provide information that you request; and/or
- Provide you with further information about our other products and services.
- Verification of identity checks as required to meet our regulatory requirements.

We also have an obligation to maintain personal information to disclose to regulatory and similar bodies, and these bodies have a legal right to such information.

## Storage and protection of your personal information

We may electronically record and store personal information which we collect from you. When doing so, we will take all reasonable steps to keep it secure and prevent unauthorised disclosure. However, we cannot promise that your personal information will not be accessed by an unauthorised person (e.g. a hacker) or that unauthorised disclosures will not occur. If we provide you with any passwords, you must keep them confidential, along with any changes you make to your passwords and do not allow them to be used by any other person. You should notify us immediately if the security of your password is breached; this will help prevent the unauthorised disclosure of your personal information.

Most of your information will be stored electronically on physical hard drives and/or in the cloud-based servers in Australia, New Zealand, or the US and owned by Consilium NZ Limited, FNZ Limited, Microsoft, and Climark Systems (CRM) or an external service provider. We ensure that our cloud-based service providers are subject to appropriate security and information handling arrangements and that the information stored or processed by them remains subject to confidentiality obligations.

We generally do not hold or store information in paper files, but if we do, the information will be held securely in First Capital's office.

We use a range of physical and electronic security measures to protect the security of the personal information we hold, including:

- Access to information systems is controlled through identity and access management;
- Our buildings are secured with a combination of locks, security card access and monitored alarms to prevent unauthorised access;
- Employees are bound by internal information security policies and are required to keep information secure;
- Employees are required to complete training about information security and privacy;

- When we send information overseas or use service providers to process or store data, we put arrangements in place to protect your information;
- We regularly monitor and review our compliance (and service providers' compliance) with internal policies and industry best practices.

#### Timeframes for keeping the personal information

We only keep information for as long as we need it or as long as the law requires us to. We take reasonable steps to destroy or permanently de-identify any personal information as soon as practicable after the date of which it has no legal or regulatory purpose or we have no legitimate business purpose with it. In the case of information related to our advisory services, products, or services we have provided, we are required by law to hold this information for seven years. After this time, provided that the personal information is no longer relevant to any service we provide, we will take reasonable steps to destroy or de-identify any personal information safely.

#### If there is a privacy breach

We work hard to keep your personal information safe. However, despite applying strict security measures and following industry standards to protect your personal information, there is still a possibility that our security could be breached. If we experience a privacy breach, where there is a loss or unauthorised access or disclosure of your personal information that is likely to cause you serious harm, we will, as soon as we become aware of the breach:

- Seek to quickly identify and secure the breach to prevent any further breaches and reduce the harm caused;
- Assess the nature and severity of the breach, including the type of personal information involved and the risk of harm to affected individuals;
- Advise and involve the appropriate authorities where criminal activity is suspected;
- Where appropriate, notify any individuals who are affected by the breach (where possible, directly);
- Where appropriate, put a notice on our website advising our clients of the breach; and
- Notify the Privacy Commissioner.

#### Disclosure of your personal information

We may disclose your personal information to others outside First Capital where:

- It is necessary to enable us to achieve the purpose that we collected the data for;
- We are required or authorised by law or where we have a public duty to do so;
- It is necessary for an entity that approaches us to do its due diligence with the objective of acquiring an interest in us or merging with us;

- You have expressly consented to the disclosure, or your consent can be reasonably inferred from the circumstances; or
- We are permitted to disclose the information under the Privacy Act 2020.

#### Parties we may disclose your information to

Your personal information may be used by us to provide advice and services to you and may also be used by agencies such as, but not limited to:

- Any out-sourced service provider who assists in the services we are required to carry out, such as our CRM software provider (Climark Systems), our Custodian (FNZ Limited), our cloud service provider (Microsoft), our Insurance and Investment providers, auditors and external compliance reviewers;
- Our external dispute resolution service;
- The Regulator;
- Credit reporting and debt collecting organisations;
- First Capital's related companies such as Cammell Consulting Group (Authorised Body) or Garrison Bridge Advisory Services.

If we do not need to share your information with a third party to provide advice and services, we will not pass on your information to them without your consent. Under no circumstances will we sell or receive payment for disclosing your personal information.

#### Sending your information overseas

We may send your personal information outside New Zealand, including overseas members of First Capital's related companies, overseas service providers, or other third parties who process or store our information or provide certain services to us.

Where we do this, it does not change any of our commitments to you to safeguard your privacy. We ensure that appropriate security and information handling arrangements are in place, and the information remains subject to confidentiality obligations.

All countries have different privacy laws and information protection standards. If we need to send your personal information to a country with lower standards of information protection than New Zealand, we will take appropriate measures to protect your personal information. Where it is impossible to ensure that appropriate security and information handling arrangements are in place, we will let you know and gain your consent before sending your personal information overseas.



### Third-party websites

You may be able to link to other websites that are not under our control through our website or any social media pages. We are not responsible for those third-party websites' privacy or security practices; this Privacy Policy does not cover those sites. Third-party websites should have their own privacy and security policies, and we encourage you to read them.

In addition, we have no knowledge of (or control over) the nature, content, and availability of those websites. We do not sponsor, recommend, or endorse anything on these linked websites. We do not accept any liability of any description for any loss suffered by you by relying on anything contained or not contained on these linked websites.

### Right to access, correct and delete personal information

You have the right to request access to, accurate, and, in some circumstances, delete your personal information. You can do so by contacting us at:

79 Cashel St, Christchurch 8011, PO Box 284, Christchurch 8140

or email [info@firstcapital.co.nz](mailto:info@firstcapital.co.nz)

When you contact us with such a request, we will take steps to update or delete your personal information, provide you with access to your personal information and/or otherwise address your query within a reasonable period after receiving your request. To protect the security of your personal information, you may be required to provide identification before we update or provide you with access to your personal information.

We can only delete your personal information to the extent that it is not required to be held by us to satisfy any legal, regulatory, or similar requirements.

There is no fee for requesting that your personal information is corrected or deleted or for us to make corrections or deletions. In processing your request for access to your personal information, a reasonable cost may be charged. This charge covers such things as locating the information and supplying it to you.

There are some circumstances where we are not required to give you access to your personal information. If we refuse to provide you with access or correct or delete your personal information, we will let you know our reasons, except if the law prevents us from doing so.

If we refuse your request to correct or delete your personal information, you also have the right to request that a statement be associated with your personal information noting that you disagree with its accuracy.

If we refuse your request to access, correct or delete your personal information, we will also provide you with information on how you can complain about the refusal.

## What happens if you do not provide us with your information?

If you do not provide the information we have requested, you may be unable to obtain or access our services for which the information is required. Please ask us if you are unsure what information is important and how this might affect you.

## Changes to this Privacy Policy

We review this Privacy Policy periodically to keep it current and available on our website. If the changes are significant, we may advise you directly. You may also obtain a copy of the latest version by calling us on 0800 525 515.

## Privacy Policy queries and concerns

If you are concerned about how your personal information is being handled or if you feel that we have compromised your privacy in some way, please get in touch with us at:

79 Cashel St, Christchurch 8011, PO Box 284, Christchurch 8140

or email [info@firstcapital.co.nz](mailto:info@firstcapital.co.nz)

We will acknowledge your complaint within three working days of its receipt. We will let you know if we need any further information from you to investigate your complaint.

We aim to resolve complaints as quickly as possible. We strive to resolve complaints within five working days, but some complaints take longer to resolve. If your complaint takes longer, we will let you know what is happening and a date by which you can reasonably expect a response.

If you are not satisfied with our response to any privacy-related concern, you may lodge a complaint on the Privacy Office website ([www.privacy.org.nz](http://www.privacy.org.nz)) or send a complaint form to the Privacy Commissioner at:

Office of the Privacy Commissioner

P O Box 10-094

Wellington 6143,

New Zealand

Fax: 04- 474 7595

Email: [enquiries@privacy.org.nz](mailto:enquiries@privacy.org.nz)

Telephone: 0800 803 909

Website: [www.privacy.org.nz](http://www.privacy.org.nz)