

## Privacy Policy

Here we explain how we collect, use and share personal information when we are carrying out our compliance related functions.

These include completing your GST, Annual Financial Statements, filing with the IRD, Consultancy, Business Development, setting up new Company's, setting up and processing Payroll, preparing Employment Contracts, undertaking Trust Administration, and undertaking Company Administration.

Most of the personal information we collect is provided directly by you, or your authorised representative, when you engage with us.

Providing some information is optional. However, if you choose not to provide us with certified proof of your ID & certified proof of your address, we may be unable to act due to the Anti-Money Laundering and Countering Financing of Terrorism Act 2009.

### The Personal Information We May Collect From You Directly Includes:

- your name;
- your date of birth and place of birth;
- your contact details, including your address, email address or phone number;
- your bank accounts and IRD and/or GST number;
- information about your authorised representative (if you have one);
- who your solicitor is;
- Source of your wealth or transactional funds ;
- billing information;
- any documents or other information you provide to us to complete our duties.

### From Another Person or Agency

Our compliance related functions may also require us to receive or request personal information about you from other people or agencies.

We may collect personal information from the following people or agencies:

- Your Bank
- Your Lawyer
- Your Farm Advisor
- Insurer
- Financiers (eg hire purchasers)
- Trade Partners
- Suppliers

We may also collect publicly available information about you – such as any media reports – where this is relevant to carrying out our compliance functions.

### Generated By Us As We Carry Out Compliance Related Functions

In the course of our functions whilst acting for you we generate personal information about you.

The personal information we may generate about you includes:

- correspondence (such as letters and emails), including between our staff or with the staff of other agencies
- file notes, memoranda, meeting minutes or other records of actions taken
- legal views or opinions.

## What we do with your personal information

### How We Use It

We will only use the personal information you provide to us for the purposes of delivering the services you have requested.

We may use your personal information to:

- undertake any work requested by you
- improve our website and the delivery of our online services

Where we need to use information in a way we have not anticipated here, we will only do so if required or permitted by law or with your authorisation.

### When We Share It

We share personal information where necessary in order to give effect to carrying out our functions.

We may, for example, share personal information with:

- Your Bank
- Your lawyer
- Your farm advisor
- The IRD
- Anyone you request we share information with
- the Police or another government agency, if required by law (for example to assist with the investigation of a criminal offence), to report significant misconduct or breach of duty or where there is a serious threat to health or safety. If our staff are threatened or abused, we may refer this to the Police.

### Third Party Providers

We may share your personal information with third party providers in order to assist us in providing services or perform functions on our behalf. We may also engage third parties in order to collect certain personal information from you on our behalf, such as identification documentation in order to meet our anti-money laundering obligations or credit check information.

We use social networking services such as Facebook, LinkedIn and Instagram to communicate with the public about our work. When you communicate with us using these services, the social networking service may collect your personal information for its own purposes.

These services may track your use of our website on those pages where their links are displayed. If you are logged in to those services (including any Google service) while using our site, their tracking will be associated with your profile with them.

### Our Cookie Policy

These services have their own privacy statements which are independent of ours. They do not have any access to the personal information we hold on our systems.

## Storage and Security

### Storage and Retention

We use third party providers to store and process our data.

We store most of the personal information we collect and generate electronically on Xero Practice Management and Suite Files cloud based servers located within or outside New Zealand. We also use Microsoft Office 365 for our email and other office productivity applications. This means that the personal information we hold may be transferred to, or accessed from, countries other than New Zealand.

## Security

We take all reasonable steps to ensure the personal information we collect is protected against loss, unauthorised access and disclosure or any other misuse, including meeting the requirements prescribed by the New Zealand government for the secure handling, storage and disposal of any protectively marked or security classified information.

We ensure that our third party data processors can meet our privacy and security requirements.

## **Your privacy rights and how to contact us**

The Privacy Act gives you rights to request access to and correction of the personal information we hold about you. You can take steps to control the ways we use your information (such as opting out of receiving newsletters). You can also complain to us at any time if you think we have misused your personal information.

Contact us to exercise any of these rights, including the right to complain about our privacy practices. Remember that you can make an information request to us in any form

<https://mbsadvisors.co.nz/contact-mbs-advisors/>

## **Requesting access to or correction of your information**

You have the right to request a copy of the personal information we hold about you (whether we have collected from you directly or from a third party). You also have the right to ask us to correct your information if you think it is wrong.

We will process your request as soon as possible, and no later than 20 working days after we receive it. We will be as open as we can with you, but please note that your right to request personal information is subject to section 116 of the Privacy Act, which requires that we maintain secrecy, in some instances even from you.

We may also occasionally need to withhold personal information under sections 27-29 of the Privacy Act, for example where the information requested is legally privileged. However, we will only ever withhold information where necessary.

## **Opting out of certain uses of your information**

### Engagement information

You can opt out of receiving our newsletter or being included on any other subscription list or news feed by following the unsubscribe link at the end of the email or contacting us:

<https://mbsadvisors.co.nz/contact-mbs-advisors/>

### Compliance Information

You cannot opt out of your personal information being used by us where you have asked us to exercise one of our compliance functions and your personal information is necessary for us to exercise this function. However, if you have any particular privacy concerns or sensitivities, you can raise them with us at any time.

### Complaining About Our Privacy Practices

We want to know if you have concerns about our privacy practices, whether these relate to the way we collect or share information about you or our decision on your access request. This allows us to try and put things right for you and helps us to identify and fix any problems with our systems or processes.

In the first instance, let us know about your concerns and we will try our best to resolve it. This could include escalating your concerns to a Director to ensure we have made the right decision and fully considered your concerns. You can raise your concerns with us at

<https://mbsadvisors.co.nz/contact-mbs-advisors/>

If we cannot resolve your concerns, then you have the right to complain to the Privacy Commissioner about our actions:

<https://www.privacy.org.nz/about-us/contact/>