

## Privacy Policy

Version: 1.0

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### Part 1 – Introduction

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#### 1. General

1.1 The MahiFX Group (**MahiFX, we, us, our**) is a supplier of foreign exchange related products and services (**MahiFX Services**). The MahiFX Group comprises Mahi Services (UK) Ltd (a company registered in England and Wales), Mahi Services (NZ) Ltd (a company registered in New Zealand), and Mahi Technologies Ltd (a company registered in the British Virgin Islands).

1.2 This privacy policy (**Privacy Policy**) sets out how we collect, store, process, transfer, share and use your personal data, and the rights and options you have in respect of this personal data. MahiFX is required to comply with the New Zealand Information Privacy Principles (**IPPs**) in the *Privacy Act 1993* (NZ) and the European Union General Data Protection Regulation (Regulation (EU) 2016/679) (**GDPR**), (together, the **Acts and Regulations**).

1.3 The IPPs and the GDPR regulate the manner in which personal information is handled throughout its life cycle, from collection to use and disclosure, storage, accessibility and disposal. For GDPR purposes, Mahi Services (UK) Ltd is the data controller for information you provide or that we collect in connection with our website ([www.mahifx.com](http://www.mahifx.com)) and it has designated Susan Cooney as the Data Protection Officer (**DPO**). The DPO is responsible for all data protection compliance and can be contacted using the details provided at paragraph 27 below.

#### 2. What is personal information?

Under the Acts and Regulations, personal information means information or an opinion, whether true or not and whether recorded in a material form or not, about an individual who is identified or reasonably identifiable.

#### 3. Employee records

We are generally exempt from the Privacy Act when we collect and handle employee records and this Privacy Policy does not apply to that information. However, where State or Territory health privacy legislation applies, we are still required to protect the privacy of employee health information. This Privacy Policy will apply in those circumstances.

The GDPR does apply to employee data. We must ensure that job applicant and employee data is processed lawfully and appropriate information is given to job applicants and employees about the use of their data.

### Part 2 – Collection

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#### 4. Collection of personal information

4.1 The type of personal information that we collect about you depends on the type of dealings you have with us. MahiFX only collects personal information to the extent necessary for one or more of MahiFX's functions or activities.

4.2 For example, if you:

4.2.1 **use the MahiFX website**, we may collect details using cookies and other tracking software (refer to Section 5 below for more details);

- 4.2.2 **post material through the MahiFX Community or blog**, we may collect your name, contact details, address and posted content;
- 4.2.3 **send us an enquiry or provide us with feedback**, we may collect your name, contact details, details of your enquiry or feedback and information about our response;
- 4.2.4 **apply for a job with us**, we will collect the information you include in your job application, including your cover letter, resume, contact details and referee reports;
- 4.2.5 **subscribe to receive any newsletters or publications**, we will collect the information you provided to receive the relevant materials;
- 4.2.6 **sign-up to or attend any promotions**, we will collect the information you provided to enter the promotion.

## 5. **Collection of information other than personal information through our website**

When you visit our website, some of the information that is collected about your visit is not personal information, as it does not reveal your identity.

### 5.1 **Site visit information**

- 5.1.1 For example, we record your IP address, the date and time of your visit, the pages you visited, any documents you downloaded, the previous site you visited and the type of device, browser and operating system you used.
- 5.1.2 MahiFX uses and discloses this information in anonymous, aggregated form only, for purposes including statistical analysis and to assist us to improve the functionality and usability of our website. You are not individually identified, however we reserve the right to use or disclose this information to try to locate an individual where we reasonably believe that the individual may have engaged in any unlawful or inappropriate activity in connection with our website, or where we are otherwise required or authorised by law to do so.

### 5.2 **Cookies**

- 5.2.1 MahiFX may place a “cookie” on any computer you use to access the website. A cookie is a small string of information that a website transfers to your browser for identification purposes. The cookies MahiFX uses do not identify individual users, although they do identify the user’s session with the website.
- 5.2.2 MahiFX uses cookies to hold anonymous session information. This information is used to personalise your current visit to the website, for example to allow the website to remember who you are by keeping server variables linked to your session.
- 5.2.3 We only use non-persistent cookies. That is, they are held on your browser’s memory only for the duration of your session.
- 5.2.4 Most internet browsers are set to accept cookies. If you prefer not to receive them, you can adjust your internet browser to reject cookies, or to notify you when they are being used. There are also software products available that can manage cookies for you. Rejecting cookies can, however, limit the functionality of our website.

5.2.5 More information on cookies can generally be found in the “help” (or similar) section of your computer’s internet web browser.

## 6. What if you don’t provide us with your personal information?

If you do not provide any requested personal information to us, MahiFX may not be able to provide you with access to and use of the MahiFX Services.

## Part 3 – How MahiFX collects personal information

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### 7. Methods of collection

7.1 MahiFX collects personal information in a number of ways, including:

7.1.1 directly from you in person;

7.1.2 through our website (for example, by making an online enquiry);

7.1.3 over the telephone;

7.1.4 through our Facebook page and other social media platforms;

7.1.5 through written correspondence (such as letters, faxes and emails); and

7.1.6 on hard copy forms (for example, for website registration or application purposes); and

7.1.7 from third parties, including:

(a) public records (such as electoral roll information and national telephone directories for identification purposes);

(b) public bodies (such as government departments, agencies, and NGOs); or

(c) private organisations (such as a driver’s licence, passport or national ID card as well as address verification in the form of a bank statement or utility bill through our partnerships with third party verification and data storage providers for the purposes of identity verification).

### 8. Collection notices

8.1 Where MahiFX collects personal information about you, we may take additional steps to provide you with certain details about that collection (such as why we are collecting the information and who we may share it with). If we do, then we will generally include this information in a collection notice.

8.2 Collection notices provide more specific information than this Privacy Policy. The terms of this Privacy Policy are subject to any specific provisions contained in collection notices and in the terms and conditions of particular offers, products and services. We encourage you to read those provisions carefully.

### 9. Unsolicited information

Unsolicited personal information is personal information we receive that we have taken no active steps to collect (such as an employment application sent to us by an individual on their own initiative, rather than in response to a job advertisement). We may keep records of unsolicited personal information if the Acts and Regulations permit it (for example, if the

information is reasonably necessary for one or more of our functions or activities). If not, we will destroy or de-identify the information as soon as practicable, provided it is lawful and reasonable to do so.

## **Part 4 - Why MahiFX collects Personal Information**

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### **10. Main purposes of collection**

- 10.1 The main purposes for which MahiFX collects, holds, uses and discloses personal information are set out below:
- 10.1.1 providing our services to you;
  - 10.1.2 managing MahiFX's relationship with you and to help us understand your needs;
  - 10.1.3 obtaining professional, financial, technical, administrative or other advice and services in connection with the operation of MahiFX's business;
  - 10.1.4 promoting ourselves and our products and services, including through direct marketing or events;
  - 10.1.5 performing research and statistical analysis, including for customer satisfaction and service improvement purposes;
  - 10.1.6 answering queries and resolving complaints;
  - 10.1.7 recruiting staff and contractors; and
  - 10.1.8 meeting our regulatory and legal requirements, including (if applicable) "Know your Customer" obligations under Anti-Money Laundering and Counter-Terrorism Financing Laws.
- 10.2 MahiFX may also collect, hold, use and disclose personal information for other purposes explained at the time of collection or:
- 10.2.1 which are required or authorised by or under law (including, without limitation, privacy legislation); and
  - 10.2.2 for which you have provided your consent.

### **11. Direct marketing**

- 11.1 MahiFX may use your personal information to let you know about us and our products and services (including promotions, special offers and events) where we have your express consent, or where we are otherwise permitted by law to do so. We may contact you for these purposes in a variety of ways, including by mail, email, SMS, telephone, online advertising or facsimile.
- 11.2 MahiFX may also use your personal information to provide you with information about products and services available from our affiliated entities where we have your express consent. Our affiliated entities include banks and credit card processing agents.

### **12. Opting out**

Where you have expressly consented to receiving marketing communications from us, your consent will remain current until you advise us otherwise. However, you can opt out at any time, by:

- 12.1.1 contacting us (details at paragraph 27 below);
- 12.1.2 advising us if you receive a marketing call that you no longer wish to receive these calls; and
- 12.1.3 using the unsubscribe facility that we include in our commercial electronic messages (such as emails and text messages).

## **Part 5 - Who MahiFX may share your Personal Information with**

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### **13. Disclosure of Personal Information**

- 13.1 MahiFX may disclose your personal information with third parties for the purposes for which it is collected under paragraph 10 and for any related purposes, including to:
  - 13.1.1 financial institutions for payment processing;
  - 13.1.2 referees whose details are provided to us by job applicants;
  - 13.1.3 any person where necessary or desirable in connection with the provision of the website and the MahiFX Services to you;
  - 13.1.4 any person where necessary or desirable in connection with the management of MahiFX's relationship with you;
  - 13.1.5 MahiFX's external advisors, service providers, subcontractors, data storage providers and suppliers, so that they can provide professional, financial, technical, administrative or other advice and services in connection with the operation of MahiFX's business;
  - 13.1.6 its affiliated entities for the purpose of such affiliated entities contacting you about their products and services;
  - 13.1.7 any person who acquires or expresses an interest in acquiring all or any part of MahiFX's business;
  - 13.1.8 any person where necessary or desirable in connection with MahiFX investigating, preventing or taking action regarding any breach or suspected breach by you of the Terms or any law; and
  - 13.1.9 any person as required or authorised by or under law, and to any other person to whom you subsequently consent from time to time.
- 13.2 In each case, we may disclose personal information to the service provider and the service provider may in turn provide us with personal information collected from you in the course of providing the relevant products or services.

## **Part 6 – Cross border disclosure of personal information**

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### **14. Cross border disclosure**

- 14.1 MahiFX may disclose your personal information to another jurisdiction:
  - 14.1.1 where MahiFX reasonably believes that the person who will receive your personal information is subject to a law, or binding scheme, that protects personal information in a way that, overall, is at least substantially similar to the protection of personal information by the Acts and Regulations, as the context requires;

- 14.1.2 where the disclosure is necessary for the performance of any contract between you and MahiFX or for the implementation of pre-contractual measures; and/or
  - 14.1.3 as required or authorised by or under law.
- 14.2 MahiFX may disclose your personal information to our international branches, contracted service providers and our affiliates. At present, MahiFX may disclose your personal information to:
- 14.2.1 UK;
  - 14.2.2 New Zealand;
  - 14.2.3 Singapore;
  - 14.2.4 US;
  - 14.2.5 Canada; and
  - 14.2.6 Ireland.
- However, such locations may change as the need arises.
- 14.3 In each case, we will comply with the requirements of the Acts and Regulations that apply to cross border disclosures of personal information.

## **Part 7 - Data flow, quality and security**

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### **15. Data quality**

- 15.1 MahiFX holds personal information in a number of ways, including in hard copy documents, electronic databases, and email contact lists. We take reasonable steps to:
- 15.1.1 make sure that the personal information that we collect, use and disclose is accurate, up to date and complete and, in the case of use and disclosure, relevant;
  - 15.1.2 protect the personal information that we hold from misuse, interference and loss and from unauthorised access, modification or disclosure; and
  - 15.1.3 destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the Acts and Regulations, as the context requires.
- 15.2 You can help us keep your information up to date, by letting us know about any changes to your details, such as your address, email address or phone number.

### **16. Security**

The steps MahiFX takes to secure the personal information we hold include website protection measures (such as firewalls and anti-virus software), security restrictions on access to our computer systems (such as login and password protection), controlled access to our corporate premises, policies on document storage and security, personnel security (including restricting access to personal information on our systems to staff who need that access to carry out their duties), staff training and workplace policies.

## **17. Website security**

- 17.1 While MahiFX strives to protect the personal information and privacy of users of our website, we cannot guarantee the security of any information that you disclose online and you disclose that information at your own risk. If you are concerned about sending your information over the internet, you can contact us by telephone or post (details under paragraph 27 below).
- 17.2 If you are a registered user of our website, you can also help to protect the privacy of your personal information by maintaining the confidentiality of your username and password and by ensuring that you log out of the website when you have finished using it. In addition, if you become aware of any security breach, please let us know as soon as possible.

## **18. Third party websites**

Links to third party websites that are not operated or controlled by us are provided for your convenience. We are not responsible for the privacy or security practices of those websites, which are not covered by this Privacy Policy. Third party websites should have their own privacy and security policies, which we encourage you to read before supplying any personal information to them.

## **Part 8 – Accessing and correcting personal information**

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### **19. Accessing your personal information**

- 19.1 You may (free of charge) request that MahiFX confirm whether it holds any personal information about you and, where applicable, request that MahiFX provide you with a copy of your personal information.
- 19.2 Where MahiFX agrees to provide you with a copy of your personal information, MahiFX will require adequate proof of your identity before disclosing any personal information to you in accordance with our Terms.
- 19.3 We will also generally provide access in the manner that you have requested (eg by providing photocopies or allowing a file to be viewed), provided it is reasonable and practicable for us to do so.

### **20. Correcting personal information**

- 20.1 If you are able to establish that your personal information is not accurate, complete or up to date, MahiFX will take reasonable steps to correct such personal information so that it is up-to-date, complete, relevant and not misleading.
- 20.2 If you and MahiFX are unable to agree about whether your personal information is accurate, complete and up to date and you request that MahiFX associate with your personal information a statement claiming that such personal information is not accurate, complete or up to date, MahiFX will take reasonable steps to do so.
- 20.3 If MahiFX corrects personal information about you, and we have previously disclosed that information to another agency or organisation that is subject to the Act, you may ask us to notify that other entity. If so, MahiFX will take reasonable steps to do so, unless this would be impracticable or unlawful.
- 20.4 MahiFX may refuse to provide you with a copy of or to correct your personal information in certain circumstances, but will provide you with reasons for its refusal to do so.

### **21. Erasure of personal information**

21.1 If you are able to establish that your personal information is no longer relevant to the original purposes for which it was given or you withdraw your consent, MahiFX will take reasonable steps to erase your personal data, cease further dissemination of the data and halt the further processing of the data by third parties.

21.2 MahiFX may refuse to erase personal information if to do so would be unlawful.

## **22. Timeframe for access and correction requests**

Except in the case of more complicated requests, we will endeavour to respond to access and correction requests within 30 days.

## **Part 9 – Complaints**

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### **23. Complaints**

If you have a complaint about how MahiFX has collected or handled your personal information, please contact us (details under paragraph 27 below). MahiFX will endeavour in the first instance to deal with your complaint and take any steps necessary to resolve the matter within a week. If your complaint can't be resolved at the first instance, MahiFX will ask you to complete a Privacy Complaint Form, which asks you to explain the circumstances of the matter that you are complaining about, how you believe your privacy has been interfered with and how you believe your complaint should be resolved.

### **24. Complaints process**

24.1 MahiFX will endeavour to acknowledge receipt of the Privacy Complaint Form within 5 business days of receiving it to complete our investigation into your complaint in a timely manner. This may include, for example, gathering the relevant facts, locating and reviewing relevant documents and speaking to relevant individuals.

24.2 In most cases, MahiFX expects that complaints will be investigated and a response provided within 30 days of receipt of the Privacy Complaint Form. If the matter is more complex and our investigation may take longer, MahiFX will write and let you know, and tell you when we expect to provide our response.

24.3 If you are not satisfied with our response, you can refer your complaint to:

24.3.1 the New Zealand Office of the Privacy Commissioner (see [here](#) for further information) or, in some instances, other regulatory bodies, such as the Ministry of Business, Innovation & Employment (see [here](#)); or

24.3.2 the United Kingdom Information Commissioner's Office (see [here](#) for further information).

## **Part 10 – Other**

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### **25. Contractors**

MahiFX may contract out particular services from time to time. MahiFX will endeavour to require contractors to comply with the Acts in all respects.

### **26. Updating our Privacy Policy**

26.1 As our operations grow and change, we may revise our Privacy Policy. We will keep you updated on these changes by posting new versions of our policy on the website.



26.2 By providing your personal information to us or by using the website, you accept MahiFX's current policy.

## Part 11 – Contacting MahiFX

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### 27. Contact details

All correspondence to MahiFX, including any queries or complaints you may have regarding your use of the website or this Privacy Policy, should be sent to:

**Email:** [queries@mahifx.com](mailto:queries@mahifx.com)

**Phone:** +44 203 397 1825 / +64 3 288 0389

**Address:** New Zealand  
Mahi Services (NZ) Ltd  
Level 3, 50 Victoria Street  
PO Box 401  
Christchurch 8140  
NEW ZEALAND

**Address:** United Kingdom  
Mahi Services (UK) Ltd  
Henry Wood House  
2 Riding House Street  
London W1W 7FA  
UNITED KINGDOM