

# Soteria NZ – Privacy Policy

When a client uses our services, they are trusting Soteria NZ (Unlimited) (**Soteria, we, us, and our**) with their personal and financial information. We understand this is a big responsibility and we work hard to protect their information as per the Privacy Act 2020. A key aspect of our business is obtaining and storing client information and other types of data.

This Privacy Policy should be read in conjunction with any applicable terms and conditions relating to your use of and access to the Soteria website and associated applications (**Platform**) and the services operated and provided by us (collectively the **Services**). The Platform enables individuals and/or entities to create an account to invest in loans (or other assets) through unit trusts (**Pools**) created and operated by Soteria, as manager and trustee of the relevant investment programme (and each Pool).

This policy governs the use of your personal information by Soteria. References to **you** or **your** refer to our clients and any users of our Platform.

### **Your privacy rights**

1. Soteria must comply with our obligations under the Privacy Act 2020 (**Privacy Act**) when dealing with your personal information. Any personal information you provide to us will be stored, used and disclosed by Soteria in accordance with this Privacy Policy.
2. If you have any questions regarding our Privacy Policy or wish to access or amend the personal information that we hold about you, please contact us at:

Soteria NZ  
c/o The Advisory Group  
Level 9/ 55 Shortland Street  
Auckland 1010  
New Zealand

Email: [legalcompliance@soteria.capital](mailto:legalcompliance@soteria.capital)

### **Acceptance of this privacy policy**

3. You accept this Privacy Policy, and authorise the collection, use, disclosure, storage and retention of your personal information by Soteria as described in this Privacy Policy when creating an account with the Platform, electing which Pools you would like to participate in alongside other investors, or otherwise provide us with any of your personal information.
4. We may amend and update this Privacy Policy from time to time by posting a revised version on our website <https://www.soteria.xyz/>. Any amendments will be effective immediately from the date they are posted, unless any amendments are substantial, in which case we will provide you with 2 weeks' notice by posting a notice of the intended change on our Website.

### **Why does Soteria collect personal Information**

5. We collect personal information in order to:
  - 5.1 validate and authenticate your account opening information, and any other information you provide to us, including for the purposes of our legal obligations under Anti-Money Laundering and Counter Financing of Terrorism Act 2009 and any similar or replacement regulations (**AML/CFT Regulations**);

- 5.2 meet our obligations under law including (without limitation) under the Financial Markets Conduct Act 2013 and any similar or replacement regulations;
- 5.3 provide you with access to the Platform and provide the Services;
- 5.4 execute and carry out your instructions received via the Platform; and
- 5.5 contact you for marketing purposes or communicate a new loan or Pool via the Platform.

**What kinds of personal information does Soteria collect?**

6. In general, and depending upon the nature of the person's connection with Soteria, the type of personal information we collect and hold includes (but is not limited to):
  - (a) your name;
  - (b) your date of birth;
  - (c) your email address and residential address;
  - (d) your residency information;
  - (e) your tax information;
  - (f) your bank account information;
  - (g) your financial information;
  - (h) your source of wealth information and any further information as required under AML/CFT Regulations (if required)
  - (i) your risk appetite/profile (if you choose to give it);
  - (j) your information provided on your application form; and
  - (k) your information provided in order to determine whether you are a wholesale investor.
7. You are not required to provide such personal information to Soteria, however, if you elect not to do so, it might adversely impact our ability to supply our Services to you.
8. Except as otherwise permitted by law, we will collect personal information from you directly when you provide your details to us, or from you indirectly (for example, through our website enquiry form or through our agents and partners who may collect information from you on our behalf).

**How we use and disclose information that we collect about you**

9. We use and disclose your personal information in accordance with your specific instructions or consent, or accordance with this Privacy Policy, including for the following purposes:
  - (a) to validate and authenticate your account opening information, and any other information you provide to us, including for the purposes of complying with our legal obligations under AML/CFT Regulations;

- (b) to provide you with access to the Platform;
- (c) to facilitate the provision of Services to you;
- (d) comply with our internal operational and administrative requirements to enable us to operate our business including quality improvement and system use monitoring to further enhance our Services and/or Platform;
- (e) to comply with our legal and regulatory requirements or for any other purpose permitted by the Privacy Act;
- (f) to contact you to confirm your details;
- (g) to contact you for marketing purposes or communicate a new loan or Pool via the Platform; and
- (h) when otherwise required by law.

### **Who we may disclose your personal information to**

10. We may disclose your personal information to:
- (a) our related companies in connection with the purposes set out in this Privacy Policy;
  - (b) our service providers that we have engaged to provide a service to us in relation to the Platform or any product or service that we have agreed to provide you. For example, we may disclose your personal information to third-party customer due diligence providers;
  - (c) courts, tribunals, and regulatory authorities; and/or
  - (d) any other person or organisation that you have authorised us to disclose your information to.

### **11. Access, correction and retention of your personal information**

12. You agree that any information you give to Soteria will be accurate, correct and up to date, and that when acting on behalf of a business or another person, you are authorised to give such information to us.
13. You must inform us if any of your personal information changes, to ensure that the details we hold about you are up to date and correct.
14. Subject to the exceptions set out in the Privacy Act, you are entitled to access the personal information we hold about you, and to request that we amend it if it is incorrect.
15. Where we no longer require your personal information, we will comply with our legal obligations in respect of that information.

### **Transfer of personal information outside of New Zealand**

16. Any personal information that you provide to us may be stored and processed in, and transferred between, any of the countries in which Soteria and agents/ affiliated

organisations have offices, in order to enable Soteria to use that information as set out in this Privacy Policy. For example, Soteria has an office in the United States.

17. Where personal information is transferred outside of New Zealand, we will ensure that such third party is subject to comparable privacy laws to New Zealand or is required to protect the personal information in a way that is comparable to New Zealand's privacy laws. Where it is not possible to ensure that appropriate security and information handling arrangements are in place, we will let you know and gain your consent prior to sending your personal information overseas.

### **Security of information**

18. We take reasonable steps to protect the security of personal information. We do not make any warranties in relation to the security of any information you disclose or transmit to us and we are not responsible for the theft, destruction, or inadvertent disclosure of your personal information where our security measures have been breached.

### **Links to other sites**

19. Soteria may have links or references to other websites from our Site and our Privacy Policy does not apply to those websites. Soteria takes no responsibility for the privacy practices of other websites.

### **Cookies and other tracking/analytic tools**

20. Soteria's Platform uses cookies to make the Services as easy for you to use as possible. It also helps us better understand user behaviour, which allows us to improve our Platform and Services for your benefit.
21. Generally, information collected by cookies and other similar technologies is not personal information unless:
  - (a) applicable laws require us to treat them as personal information; and/or
  - (b) that information is combined with other personal information we hold about you.
22. You can disable cookies on your computer if you wish, but please note that if you disable caching or choose to block sites from sending any data, this may cause the Platform to have reduced functionality.

### **Address details of Soteria**

23. The address of Soteria, as the person collecting and holding your personal information, is:

Soteria NZ  
c/o The Advisory Group  
Level 9, 55 Shortland Street  
Auckland 1010  
New Zealand

### Updates to this Policy

24. This Policy will be reviewed from time to time to take account of new laws and technology, changes to our operations and practices and the changing business environment. The most current version of this Policy is located here and can be obtained by contacting our Privacy Officer at [legalcompliance@soteria.capital](mailto:legalcompliance@soteria.capital).

### Approval:

<b>Business Owner:</b>	Chief Executive Officer
<b>Authorised by:</b>	Melanie Boudet Hearn
<b>Date:</b>	29 January 2023
<b>Document Name/Number:</b>	Privacy Policy – Version 1

### Document history:

Version	Date	Author	Description
1.0	19/01/2023	Melanie Boudet Hearn	New policy