



Zero Markets (NZ) Limited

Privacy Policy

Last updated in November 2024

1. Introduction

- 1.1. Zero Markets (NZ) Limited (NZBN 9429046269300) (**Zero Markets NZ/we/us/our**) are committed to protecting the privacy and security of the personal information you supply to us.
- 1.2. This Privacy Policy (**Policy**) describes how we collect, use, disclose and protect your personal information. We have also set out how we comply with the Privacy Act 2020 (**Act**) when collecting, handling and using your personal information.
- 1.3. You accept this Policy, and consent to the collection, use, disclosure, storage and retention of your personal information as described in this Policy when you use, visit or participate on our website zeromarkets.co.nz (**Website**), use our products and/or services, or otherwise provide us with any of your personal information. If you wish to revoke this consent, you must immediately cease to use our Website and all of our products and/or services.
- 1.4. We may amend, update, change or replace this Policy at any time by publishing the changes on our Website. The changes will apply from the date we upload the revised Policy on our Website. Accordingly, you should review this Policy each time you visit our Website, use our products and/or services, or provide us with your personal information.

2. Types of personal information we collect

- 2.1. Generally, the type of information we may collect from you includes:
 - 2.1.1. date of birth;
 - 2.1.2. nationality;
 - 2.1.3. gender;
 - 2.1.4. address;
 - 2.1.5. phone number;
 - 2.1.6. email address;
 - 2.1.7. employment details;
 - 2.1.8. identification documentation (including passport, national ID and/or drivers licence);
 - 2.1.9. financial details (including income information, liquidity savings details, investment details, trading derivatives history);
 - 2.1.10. banking details;
 - 2.1.11. credit information (including credit history);
 - 2.1.12. proof of address;
 - 2.1.13. New Zealand IRD number or equivalent; and
 - 2.1.14. any other personal information necessary to provide our products and/or services to you.

- 2.2. Our Website may also automatically collect and store the following information about you:
- 2.2.1. date and time of access;
 - 2.2.2. your internet protocol (IP) address;
 - 2.2.3. type of browser you use,
- and other similar information sent to us by your browser.

3. Providing personal information is voluntary

- 3.1. Providing your personal information to us is voluntary. However, if you do not provide us with all the information requested, or provide us with insufficient information, we may be unable to provide you with access to our Website, or to provide you with our products and/or services.

4. How we collect your personal information

- 4.1. We primarily collect your personal information directly from you when you:
- 4.1.1. use and access our Website;
 - 4.1.2. contact, inquiry or interact with us via live chat, phone or email;
 - 4.1.3. file out our online forms;
 - 4.1.4. open an account with us; and/or
 - 4.1.5. pay funds to us or withdraw funds from your account with us.
- 4.2. We may also collect your personal information from:
- 4.2.1. publicly available information;
 - 4.2.2. anti-money laundering and counterfeit financing verification agencies; and/or
 - 4.2.3. as otherwise permitted under the Act, or by you.

5. How we use your personal information

- 5.1. We may use and request your personal information for the following purposes:
- 5.1.1. complying with our legal obligations under applicable laws, regulations and standards (including but not limited to our obligations under the Financial Markets Conduct Act 2013, Financial Markets Conduct Regulations 2014, Anti-Money Laundering and Countering Financing of Terrorism Act 2009 and the Common Reporting Standard);
 - 5.1.2. opening, administering, monitoring and managing your account with us;
 - 5.1.3. performing due diligence on you for the purpose of entering into a contract with us;
 - 5.1.4. verifying your identity;

- 5.1.5. assessing whether our products and/or services are suitable for you;
- 5.1.6. providing our products and/or services to you;
- 5.1.7. developing new products and/or services;
- 5.1.8. complying with our obligations to you;
- 5.1.9. processing your requests for information;
- 5.1.10. providing information to you;
- 5.1.11. communicating with you;
- 5.1.12. where you have provided us with your consent, marketing and promoting our products and/or services to you;
- 5.1.13. addressing problems with, and improving, our Website, products and/or services; and
- 5.1.14. any other purpose directly related to the above, any other purpose you authorise, or any other purpose permitted under the Act.

6. Disclosures of your personal information

- 6.1. In the course of our business, we may disclose your personal information to the following parties:
 - 6.1.1. a person authorised by you;
 - 6.1.2. other members of the Zero Markets' group, including any subsidiaries and related companies (irrespective of jurisdiction);
 - 6.1.3. our legal advisers;
 - 6.1.4. identity verification agencies;
 - 6.1.5. credit and background verification agencies;
 - 6.1.6. payment providers;
 - 6.1.7. anti-money laundering and counterfeit financing verification agencies;
 - 6.1.8. any platform provider we appoint for the purpose of providing our products and/or services to you;
 - 6.1.9. our auditors and accountants;
 - 6.1.10. compliance advisers; and/or
 - 6.1.11. other third party providers (including technology providers, storage service providers and providers of software tools used by us in our business) to perform services on our behalf, to process the information for us, or hold it on our behalf.
- 6.2. In addition to our disclosures made to the above parties in the course of our relationship with you, we may also disclose your personal information:

- 6.2.1. to enforce this Policy and/or our general terms and conditions and other policies;
 - 6.2.2. where required by law such as to comply with a subpoena or similar legal process;
 - 6.2.3. where required by a tribunal, court or any regulatory body or public service department that we operate under;
 - 6.2.4. when we believe on reasonable grounds that disclosure is necessary to protect our property, legal rights, your safety, or the safety of others;
 - 6.2.5. in order for us or other authorised agencies to detect, investigate, prevent or address fraud, security or technical issues;
 - 6.2.6. to respond to a government request to which we are obliged by law to respond, or where the Act permits us to respond; and
 - 6.2.7. to any third party with your prior consent.
- 6.3. We currently have a number of arrangements in place with various third party service providers to assist us with providing our products and/or services to you, namely:
- 6.3.1. Cloudcheck, World-Check and WorldCompliance to assist with identity, credit and background and anti-money laundering and counterfeit financing verifications;
 - 6.3.2. MetaTrader and MetaTrader Web Trading (together, **MetaTrader**) platforms to facilitate our trading services to you;
 - 6.3.3. Worldpay, Neteller and Skrill to process our payments; and
 - 6.3.4. Amazon Web Services (**AWS**) to store your personal information.
- 6.4. Consequently, some of your personal information may be disclosed to these third party service providers. Any disclosures of personal information to these third parties will be subject to their privacy policies. To understand the ways these third parties collect, use and disclose personal information, please read their privacy policies, which are available at:
- 6.4.1. in respect of Cloudcheck, click [here](#);
 - 6.4.2. in respect of World-Check, click [here](#);
 - 6.4.3. in respect of WorldCompliance, click [here](#);
 - 6.4.4. in respect of MetaTrader, click [here](#);
 - 6.4.5. in respect of Worldpay, click [here](#);
 - 6.4.6. in respect of Neteller, click [here](#);
 - 6.4.7. in respect of Skrill, click [here](#); and
 - 6.4.8. in respect of AWS, click [here](#).

- 6.5. We also use social media services like Facebook, Instagram, YouTube and LinkedIn. Your use of these third party services is entirely optional. If you do not want to provide personal information to any of these third parties, or make personal information publicly available, you should not use their particular service. To understand the way each of them collects, holds, uses and discloses personal information, please read their privacy policies, which are available at:
- 6.5.1. in respect of Facebook, click [here](#);
 - 6.5.2. in respect of Instagram, click [here](#);
 - 6.5.3. in respect of YouTube: click [here](#); and
 - 6.5.4. in respect of LinkedIn, click [here](#).
- 6.6. If you follow a link on our Website to another website, the owner of that website will have its own privacy policy relating to your personal information, for which we are not responsible. We suggest that you review that site's privacy policy before you provide any personal information.

7. Data retention, storage and security

- 7.1. We will retain personal information about you for as long as is necessary to:
- 7.1.1. fulfil the specific purpose for which personal information was collected;
 - 7.1.2. perform the services, and/or provide the products, that we have contracted to provide to you;
 - 7.1.3. address any claim that might be made after we stop providing our products and/or services to you;
 - 7.1.4. satisfy and comply with any legal, regulatory, accounting, or reporting requirements; and/or
 - 7.1.5. meet our other legitimate purposes as otherwise permitted under the Act.
- 7.2. Where we no longer require your personal information for a permitted purpose under the Act, or as set out in this Policy, we will take reasonable steps to return, delete or destroy it.
- 7.3. We treat data as an asset that must be protected against loss and unauthorised access. We take all reasonable steps to ensure that your personal information is protected from misuse, loss and unauthorised access, modification or disclosure.
- 7.4. As indicated at clause 6.3.4, your personal information is currently stored on AWS cloud servers, which are located in the United States of America. Where you have provided us with physical copies of any documents containing personal information, we store this personal information at Suite C, Level 28, Tenancy 1, The SAP Tower, 151 Queen Street, CBD, Auckland, 1010, New Zealand.
- 7.5. When browsing our Website, you acknowledge that the internet is not always a secure environment, and that the computer and network you use contribute to the overall level of effective protection in place. You further acknowledge that any transmission of information over the internet is out of our control before it reaches our system. It is only once we receive your transmission that we can take reasonable steps to ensure its security.

8. Cross Border Data Transfer

- 8.1. Zero Markets (NZ) Limited is a New Zealand company however a number of our subsidiaries and related entities are based outside of New Zealand. Our IT team, for example, is based in Australia. To the extent that your personal information is transferred outside of New Zealand to our subsidiaries and related entities, we will ensure this is done in accordance with this Policy.
- 8.2. Many of our third party service providers are also based outside of New Zealand. To the extent that your personal information is transferred outside of New Zealand to our third-party providers, as set out at clause 6.4, any disclosures of your personal information to these third parties will be subject to their privacy policies.

9. Accessing and correcting your personal information

- 9.1. Subject to certain grounds for refusal set out in the Act, you are entitled to access your personal information held by us and request correction of it, in accordance with the Act.
- 9.2. Before we supply any information to you, we will need evidence that you are the individual to whom the personal information relates.
- 9.3. If your personal information is wrong, you can ask for it to be corrected. If we consider the correction is reasonable (and we are reasonably able to make it) we will make the correction. If we refuse to make the correction (in accordance with the Act), you may request that we include a note with the personal information describing the correction sought but not made.
- 9.4. If you want to exercise either of the above rights, contact us at the contact details below.
- 9.5. We will respond to your request within ten (10) working days of receipt of your request. In some cases, we may not be able to fulfil your request to exercise the right before this date and may need to request more time. Where we cannot provide a full response to you for any reason, we will let you know about this in our initial reply to your request.
- 9.6. We may charge you our reasonable costs of providing to you copies of your personal information or correcting that information.

10. Recordings of telephone conversations

- 10.1. We may record telephone conversations between you and our representatives for various purposes, including:
 - 10.1.1. to assist with the training and development of our staff;
 - 10.1.2. to improve the quality of our services;
 - 10.1.3. for auditing purposes to ensure compliance with our policies and procedures; and/or
 - 10.1.4. in the case of a dispute with you, these recordings may also be referenced to provide a clear and accurate account of any conversations.
- 10.2. Any recordings or chatlogs will be stored and managed in accordance with this Policy. If you want to obtain a copy of such a recording or chatlog, please contact us at our contact details below and we will respond to your request within ten (10) working days of receipt of your request.

- 10.3. In certain circumstances, we may be unable to provide you with a copy of the actual recording to administrative or technical issues. In such cases, we may only be able to provide you with a transcript. We may also be unable to provide you with a copy of a recording or chatlog due if this is no longer available. We will inform you of any issues regarding your request in our initial response.

11. Marketing communications

- 11.1. We only want to communicate with you if you want to hear from us. With your permission, we may send you information such as newsletters and promotional materials about us, our products and/or services.
- 11.2. If we ask for your personal information for the purposes of sending you marketing communications, we will either ask you directly for your express consent, or provide you with an opportunity to say no.
- 11.3. If you change your mind after you opt-in to receiving marketing communications, you may withdraw your consent at any time by contacting us at the contact details set out below.

12. Cookies and other tracking technology

- 12.1. We, along with our affiliated partners and service providers, use cookies and other technologies to provide the functionality of our platform and Website. Cookies are small data files stored on a device with a web browser such as a personal computer, tablet and smart phone. A cookie can contain information about your IP address, your device, or the online activity of a person who uses that device. The information in each cookie is sent to the party that controls that cookie.
- 12.2. We use cookies where it is necessary for our legitimate interests of conducting our business, which may include managing, analysing and improving our Website or optimising your experience as a user of our Website. If you do not agree with our use of cookies, you can manage and control them through your browser, including removing cookies by deleting them from your browser history when you leave the Website.
- 12.3. We may also use third party cookies for marketing and promotional purposes, and to gather Website analytics. When we collect cookies from third parties, that information is collected in aggregated form. Where a third party is collecting the information, you will need to opt out in accordance with the process set out in that third party's privacy policy or ad preferences material.
- 12.4. While we take reasonable steps to maintain secure connections, if you provide us with personal information over the internet, the provision of that information is at your own risk.

13. Governing law

- 13.1. This Policy is governed and construed in accordance with the laws of New Zealand. You submit to the non-exclusive jurisdiction of the Courts of New Zealand and you agree that the Courts of New Zealand have the non-exclusive jurisdiction to hear and determine any matter arising out of or in connection with this Policy.

14. Contact details

- 14.1. We are committed with dealing with privacy matters quickly and effectively.

- 14.2. To exercise any of your above rights, or if you have any questions about this Policy, please contact our Privacy Officer via compliance@zeromarkets.co.nz.
- 14.3. We will work with you to resolve any query, problem or complaint that you have in accordance with applicable privacy laws.
- 14.4. If you have a complaint about the way that we handle your personal information, you may contact our Privacy Officer using our contact details above.
- 14.5. If a dispute arises between us and we cannot adequately resolve it, you may lodge a complaint with the Privacy Commissioner via www.privacy.org.nz.



Should you have any questions or enquiries, please don't hesitate to
Contact us

support@zeromarkets.co.nz
www.zeromarkets.co.nz

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