

Privacy Policy

Last updated March 2024

Green Emerald Management Limited and its employees, officers and agents (“**we**”, “**us**”, “**our**” or “**GEM**”) is fully committed to the protection of privacy at all times. This Privacy Policy describes the way in which we may collect and use your personal information upon you visiting <https://www.gemfunds.co.nz> or related domains (“**Site**”) or using our software or services hosted on the Site (“**Services**”).

This Privacy Policy applies to any person who visits our Site or uses our Services. If you do not consent to the collection, use, disclosure, storage and processing of your personal information in accordance with this Privacy Policy, please do not access our Site or use any of our Services.

Definitions

The following terms as used in this Privacy Policy have the following meanings:

“**Employee information**” means any information provided or submitted by or on behalf of you to us in the course of using our Services including but not limited to personal information relating to any employee or contractor.

“**Personal information**” means any information about an identifiable individual, whether or not that information identifies that person directly or indirectly (e.g. by reference to an identifier such as a name, an identification number, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person).

How we collect your personal information

We collect your personal information from you and others in the following circumstances:

1. When you visit our Site.
We collect information relating to your use of the Site and the content you access. This may include your internet protocol (IP) address used to connect your computer to the internet, location data from your devices and uniform resource locator (URL) click stream data, including date and time, and content you viewed or searched for on any of our Services. This information is useful to us because it helps us to get a better understanding of how you use the Site and Services so that we can continuously provide you with the best user experience possible (e.g. by personalising the content that you see).

2. When you request any of our Services.

We may collect your personal information from you when you request any of our Services, including your name, contact details and any other information reasonably required in connection with your request for the Services.

3. When you use any of our Services.

We may collect the following types of information from you when you use any of our Services:

1. Basic contact information, such as your name, email address, postal address and telephone number;
 2. Any data you provide to us in respect of our delivery of the Services;
 3. Any data you submit or upload to the Site when you use the Services;
 4. Any correspondence we have with you should you contact us (including any comments or feedback you provide to us);
 5. Interests and communication preferences; and
 6. Any other data that you voluntarily submit through the Site or when you use the Services.
4. When your employer, institution, association or another authorised third party submits personal information about you.
We may collect your personal information from your employer, institution, education provider, association or another authorised third party (such as an entity that has hired you as a contractor under a contract for services) to the extent reasonably required to enable us to provide the Services.

Cookies and web beacons

GEM may also automatically collect information through the use of cookies or similar technologies, such as web beacons. Cookies are small text files that a website sends to the browser on your computer or mobile device when you first visit a web page so that the website can recognise your device the next time you visit.

Most websites typically use the following:

- a. Session cookies, which are temporary and deleted when you close your browser;
 - b. Persistent cookies, which remain until you delete them or they expire; and
 - c. Web beacons, which are electronic images, also known as single-pixel gifs.

In general, cookies, web beacons and similar technologies do not contain personally identifiable information, but when you furnish your personal information through the Services, this information may be linked to the non-personally identifiable data stored in cookies sent to your browser from the Services.

GEM and its service providers may use these technologies for various purposes, including:

- a. Facilitating the login process;

- b. Administering the Services;
- c. Customising and improving the Services;
- d. Personalising your browsing experience;
- e. Advertising, promotions and surveys;
- f. Paying royalties and licence fees to third-party providers, such as authors, societies and other copyright holders and content distributors;
- g. Tracking and analysing your preferences; and
- h. Tracking and analysing trends.

There are a number of ways to manage cookies. The Help menu on most browsers tells you how to stop accepting cookies, how to be notified when you receive a new browser cookie, and how to disable existing browser cookies. However, if you block cookies, you may not be able to register, login or make full use of the Services. You can also use your mobile device's settings to manage the available privacy options.

GEM's HTML-formatted emails may contain web beacons to let it know whether its emails are opened and verify any clicks through to links or advertisements within the email. GEM may use this information for purposes including determining which of its emails are more interesting to users, to query whether users who do not open GEM's emails wish to continue receiving them, and to inform GEM's advertisers in aggregate how many users have clicked on its advertisements. The web beacon will be deleted when you delete the email. Emails in plain text rather than HTML will not include the web beacon.

How we use your personal information

We may use your personal information for the following purposes:

1. When you request any of our Services.
We may use your personal information to confirm your identity, contact you and otherwise perform the Services.
2. When you use any of our Services.
We may use your personal information to communicate with you about the Services and otherwise take any action in relation to the provision of the Services including:
 1. to administer and manage your account;
 2. to allow you to upload, store and access your personal information and/or information about an employee, contractor, student or other third party who has given you permission to do so;
 3. to allow you to access the data that you are permitted to access as determined by the administrator of your account;
 4. to respond to requests, enquiries, complaints or applications and to otherwise provide you with support to use our Services;
 5. to suggest to you better ways to use any of our Services based on information relating to your usage of the Services;

6. to continuously improve our Services (including to improve the user experience related to any of our Services);
 7. to update you on relevant new features or benefits associated with the Services;
 8. to invite you to participate in surveys, competitions and similar promotions;
 9. to prevent and detect security threats, fraud or other malicious activity;
 10. to tell you when you need to take any action in relation to any of our Services, such as making a payment to us or sending us additional information.
3. When we market any of our Services to you.
- We may use your personal information to contact you regarding our Services and to decide what marketing information to send to you. Please see below for more information including how to opt-out of marketing communications.
4. When we must meet our legal obligations.
- We may need to use your personal information to comply with our legal obligations, resolve disputes and to meet any obligations at law or imposed by regulatory agencies.

You may choose not to give us any of your personal information that we request. However, this may mean that we will be unable to properly provide you with the Services, and/or any information that you require from us.

Who we may share your personal information with

We may disclose, transfer or share your personal information in the following circumstances:

1. Our related agencies.
Your personal information may be accessible to any of our related agencies (being any agency that we have a majority shareholding in) to the extent that such disclosure is reasonably required to provide you with the Services.
2. Any agency with your consent.
We may share your personal information with agencies where you have consented or requested us to do so. This includes where you (or your employer, institution or association) opts in to sharing your personal information with third party service providers through the Services for the purpose of delivering the Services.
3. An actual or potential buyer (and its agents and advisers).
We may disclose your personal data to an actual or potential buyer (and its agents and advisers) in connection with an actual or proposed purchase, merger or acquisition of any part of our business or of any part of our related agencies' businesses.
4. Third party service providers.
Your personal information may be accessible to our service providers and suppliers, which assist us with producing and delivering our Services, operating our business, and marketing, promotion and communications. These providers and suppliers include, for example, editors, reviewers, credit card processors, customer support, email service providers, and IT service or hosting providers.
5. Employers and institutions.
If you access the Services through an employer, institution or association-sponsored

subscription, any personal information and certain usage data gathered through the Services may be shared with your employer, institution or association for the purposes of using the Services (including account management, content management, learning management and for any other purpose in connection with the proper use of the Services).

6. Other third parties.

We may share personal information with other third parties if they expressly tell you about such potential disclosure at the point at which you submitted the information to them.

7. Our advisers.

We may share your personal information with any of our advisers who help us to manage our business, including professional services advisers such as accountants and lawyers and any other adviser whose assistance we reasonably require to manage our business.

8. Compliance with law and similar obligations.

We may share personal information to respond to or comply with any law, regulation, or court order, to investigate and help prevent security threats, fraud or other malicious activity, to enforce and protect the rights and properties of GEM and/or its affiliates, and to protect the rights or personal safety of GEM's employees and third parties on or using its property.

Security

We're committed to protecting your personal information and have appropriate technical and organisational measures in place to make sure that happens.

Our hosting providers (AWS Amazon) implement strong physical access control checks to ensure that data is protected at its storage centres. Data is encrypted at rest.

We ensure that only limited and authorised persons within GEM have access to the underlying systems where data is stored. Users of our Services have their access controlled based on their permission levels. We employ logical separation to ensure that all GEM infrastructure is deployed to maintain the privacy and security of data at different levels of application. This includes firewalls separating our database and the separation of our non-production environments.

All usage is audited through log files and access audits which monitor which user accessed given information at a specific point in time and which user changed information (including the specific information which was changed).

As the transmission of data via the internet cannot be assumed to be completely secure, we cannot guarantee the security of any data transmitted to our Site or Services. Accordingly, you remain responsible for any such transmission. Nonetheless, we will take all reasonable precautions and steps to ensure that data is transmitted as securely as possible. All data

ingress or egress is transmitted via secure channels. All HTTP traffic is transmitted over TLS (HTTPS).

Privacy breaches

A privacy breach occurs where there is unauthorised or accidental access to, or disclosure, alteration, loss, or destruction of, personal information held by us or an action that prevents us from accessing personal information on either a temporary or permanent basis.

If we learn of a privacy breach involving personal information we hold, we will assess whether the privacy breach is likely to cause, or has caused, serious harm to an affected individual or individuals. If our assessment finds that the privacy breach has caused serious harm to an affected individual or individuals, or is likely to do so, we will take steps to minimise any harm, notify the affected individual or individuals (if required and permissible under the Privacy Act 2020) and notify the Privacy Commissioner within the timeframes prescribed by this Act.

Storage and security of data

We may use third party service providers to assist in storing and processing certain types of personal information for us, and some of these service providers may be located overseas, or use facilities located overseas to provide us with services. These third-party service providers do not use personal information for any purpose other than to enable us to provide the Services.

Communications with you

You have the right to ask us not to use your personal information for marketing purposes. You can exercise your right to opt-out of our marketing communications by clicking “unsubscribe” when you receive a marketing email from us or contacting us at info@gemfunds.co.nz. If you do opt out, we may still need to send you operational communications (in connection with any request for, or use of, any of our Services) in accordance with this Privacy Policy.

How long do we keep your personal information for?

We will retain your personal information for as long as it is needed to be able to provide the Services to you. If we no longer provide any of our Services to you, we will only keep your personal information if it is necessary or required to meet legal or regulatory requirements, resolve disputes, or to prevent fraud or abuse.

General

1. Access to and accuracy of your personal information

You may request access to personal information about you that you have provided to us through the Site governed by this policy. You may also request to review and correct any of that personal information by contacting GEM at the address listed below. We may

charge a reasonable fee in relation to access and correction requests (in which case we will notify you of the fee in advance of actioning the request).

2. Changes to Privacy Policy

If GEM modifies this Privacy Policy, it will post the revised version here, with an updated revision date.

3. Contacting GEM

If you have comments, requests, questions or complaints about this Privacy Policy or GEM's processing of your information, please contact info@gemfunds.co.nz