



PRIVACY POLICY

Date updated: 1 December 2019

MARS CAP LIMITED

NZBN 9429047344570 | FSP No. 661531

Overview

Mars Cap Limited ('MCL', 'we', 'us' 'our') respects and is committed to protecting client privacy. The purpose of this Policy is to explain MCL's practices and how client personal information is collected, used, disclosed and maintained.

MCL may update this Policy from time to time. We will let you know of any changes to this Policy by posting a notification on our website, www.marscap.co.nz. Please refer to it periodically for changes.

Personal Information

Personal information is information about an identifiable individual. It includes information that could be used to identify you, such as your name and contact details. This Policy applies to all products and services made available by Mars Cap Limited. By using any of these products and services you are permitting us to collect, store, use and share your personal information in accordance with this Privacy Policy.

What this Policy deals with

- What personal information we collect and store
- How we collect and store personal information
- Why we need to collect, store and disclose personal information
- How you can access or correct information we hold about you
- How to make a complaint about a breach of this Policy

1. The personal information we collect and store

We only collect personal information about you which is reasonably necessary to assist us in providing our services and products. The types of personal information that we collect and store about include (but not limited to):

- your identification and contact details such as your name, identity details, photos, and contact details;
- information collected in relation to your trading including your user name and login credentials, activity logs, IP address, device, browser and operating system identifiers;
- your employment details, financial position, source of funds, previous experience in trading, and other information you provide to allow us to assess your suitability for our products and services;
- your queries, complaints and other written or verbal communications with us. When you're dealing with MCL by telephone or live web or video chat service, your conversation may be recorded for training or verification purposes; and
- any other information that MCL is required by law or thinks is necessary to collect about you.

If you provide us with personal information that we have not requested (unsolicited personal information) we will, unless otherwise required or permitted by law, delete or destroy it as soon as possible after receiving it.

2. How we collect and store personal information

We must collect personal information only by lawful and fair means.

We may collect personal information about you in various ways, including via telephone calls, emails, documents you give us and your access to our website.

In most situations, we collect your personal information from you directly. However, we may also collect information from third parties including public sources, employer (or its affiliates), brokers, our related companies and service providers (including credit reporting bodies and information service providers).

We keep personal information in physical and electronic records, at our premises and the premises of our service providers, which may include storage on the cloud. Where this occurs, we take steps to protect personal information against misuse or loss.

On all occasions personal information is collected, stored, used and disclosed by us in accordance with this Policy.

3. Why we collect, store and disclose personal information

We only collect, store and disclose personal information for the purposes for which it was provided, related purposes or as required or authorised by law. Such purposes may include:

- Establishing, maintaining and administering your account;
- administer and manage our products and services (including monitoring, auditing, and evaluating those products and services);
- Conducting verifications, monitoring and reporting required under AML/CFT Laws;
- Processing authorised payments to and from you;
- Any other uses identified at the time of collecting your personal information

4. Who does MCL disclose personal information to?

While we do not sell personal information for marketing purposes to other organisations or allow such companies to do this, any personal information provided to us may be disclosed, if appropriate, to other entities in order to facilitate the purpose for which the information was collected. Such entities may include:

- regulators in New Zealand for the purpose of legislative compliance and reporting;
- third party service providers, who provide services in connection with our products and services (including fund administrator, auditor, accountant, legal, consultants, financial institutions, brokers and other professionals)
- other government bodies, regulators and law enforcement agencies; and
- other entities if you have given your express consent

5. How you can access or correct information we hold about you

It's important that the personal information we hold about you is accurate. **You are responsible for promptly informing MCL of any change of your personal details** (including your name, address, telephone, mobile and email address). You can contact us to request access, or those corrections be made, to the personal information we hold about

you. Under the Privacy Act 1993, in some circumstances we do not have to give you access to or correct your personal information. If that is the case, we will explain why and provide information about how you can complain should you wish to do so.

While we will not charge you for a request for accessing your personal information, you should be aware that we may charge you a reasonable fee to cover our costs when giving you access, but we will always notify you once you make a request.

We take reasonable steps to ensure that all information we hold about you is accurate, complete and up-to-date. However, we also rely on you to advise us of any changes to your personal information.

6. Cookies

MCL may use cookies and other tracking mechanisms to: (i) facilitate client use of our website and mobile applications, (ii) enable customisation of our online services and website features, (iii) avoid client re-entry of data, (iv) store client preferences for certain kinds of information, and (v) gather data about the usage of our website and mobile applications for research and promotions. Clients can configure their browser preferences not to accept these cookies, however, please note that if you disable cookie acceptance, you may not be able to access some parts of our site.

7. Links to non-MCL websites

The MCL website may provide links to third-party websites for client convenience and information. If clients decide to access those links, they will leave the MCL website. MCL does not control those third-party sites or their privacy practices, which may differ from MCL's.

MCL does not endorse or make any representations about third-party websites. Any Personal Information clients choose to give to unrelated third parties is not covered by MCL's privacy policy. Clients should review the privacy policy of any third-party website before submitting personal information. Some third-party companies may choose to share their personal data with MCL. That sharing is governed by the disclosing company's privacy policy.

8. Resolving your privacy concerns and complaints – your rights

If you wish to make a complaint about a breach of this Policy you can contact us using the contact details below. You will need to provide us with as detail about the issue as possible together with any supporting evidence.

We will contact you if we need any additional information from you. We will refer your complaint to MCL's Compliance Officer who will investigate the issue and notify you in writing of the outcome of the investigation as particle as possible (generally, no later than 45 days)

Your satisfaction is our priority so if you are still not satisfied with our response, please let us know and we'll do our best to resolve it right away. If you're unhappy with our response, you may wish to contact the **Privacy Commissioner** at: <https://privacy.org.nz>.

9. Applicable Law

This Privacy Policy is governed by New Zealand law. Your personal information will be collected, used, stored, shared and retained in accordance with this Privacy Policy and New Zealand law. The courts of New Zealand have non-exclusive jurisdiction.

Contact us

If you have any questions or complaints regarding privacy or information handling, please contact us using the following contact details:

Attn: Compliance Officer

Mars Cap Limited

Level 12, Kitchener Street

Auckland, 1010, New Zealand

Ph: +64 9869 6555

Email: compliance@marscap.co.nz