



Art Money New Zealand Limited  
NZBN 9429042003243  
PO Box 106-634  
Auckland City 1143  
New Zealand  
Tel 0800 004 682

## PRIVACY POLICY AND COLLECTION NOTICE

Please read this privacy policy and collection notice carefully as we cannot process your loan application (to purchase art work from a participating gallery) if you do not acknowledge and agree to these terms:

You acknowledge that you have made a loan application from Art Money via its website. The loan application is for consumer credit related to the purchase of art work from a participating art gallery.

The Privacy Act 1993 (the **Act**) allows for personal information about you (as a loan applicant) to be collected and disclosed provided we have obtained your consent.

This privacy notice tells you how certain organisations collect personal information about you, what they use the personal information for and who they share the personal information with. If any of those organisations collect personal information that can be used to identify you, it will take reasonable steps to notify you of that collection.

We may (from time to time) update, vary, amend or replace this privacy notice by giving you notice about the changes either on our website or by notification to you.

In this notice, a reference to “we”, “us” or “our” (including any similar expression) is a reference to Art Money New Zealand Limited NZBN 94290420032243 being the credit provider for the loan and having the contact details specified in the Schedule

### **Organisations that collect personal information about you**

We will collect personal information about you relating to your loan application.

### **How we collect personal information from you**

We will collect personal information in relation to your loan application directly from you where practicable. Most personal information that we collect is collected from the loan application and any supporting documentation supplied in connection with your loan application. If your loan application is approved, then we can also collect personal information about you from the records we maintain about the products and services you receive from us. We can check and verify that personal information from sources referred to in the loan application and/or in this privacy notice and consent.

### **How we collect personal information from other sources**

We can collect personal information about you from other sources in any manner permitted by the Act. We will only

collect personal information from other sources where it is reasonably necessary for us to do so in relation to or in connection with your loan application and your loan (if your loan application is approved and we lend you the money to make the purchase of art from a participating art gallery).

Examples of such sources of personal information include:

- we obtain personal information (including credit information concerning your credit worthiness or history, consumer information and collection of overdue payments information either within or outside of New Zealand) from a Credit Reporting Body for any purpose described below;
- we may obtain personal information about your credit application or loan from our related bodies corporate such as 10Group, and other organisations that provide us with the infrastructure in order to provide the credit services to you;
- if we are unable to contact you and we obtain publicly available personal information about you in order to update our records and your contact details;
- we check security details (in relation to the art work that we propose to secure by registering a security on the Personal Property Securities Register) from the relevant art gallery from where you intend to make your art work purchase, through public registers or our service providers including a Credit Reporting Body; or
- if there is a need to, we may potentially also exchange information with your legal, financial advisers or other representatives and advisors in relation to or in connection with your credit application or loan.

### **When the law authorises or requires collection of personal information**

There are laws that affect organisations that require us to collect and disclose your personal information. For example, we are required to collect and disclose your personal information for assessment and verification under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 and any rules, regulations or guidance notes made under or in connection with that Act (“**AML/CFT Act**”). We are entitled to request personal information from you in regards to compliance with the AML/CFT Act from you even if such information was previously sought and provided. You must comply with any request we make in this regard and if you do not provide the requested information we may be required to take action, including delaying or refusing the

processing of any loan application, making funds available to you to purchase art from a participating gallery or disclosing information that we hold about you to our related bodies corporate, service providers or relevant government bodies and regulators. In connection with these compliance matters, we have appointed participating art galleries as limited agents for the purposes of collecting your eligible photo identification for identification and verification purposes in relation to your loan / loan application.

### **How your personal information may be used**

We may collect and disclose your personal information for purposes including:

- supplying (including procuring the supply to) you with information about loan products or related services;
- considering whether you are eligible for a loan or any related service you requested in your application;
- processing the loan application and providing you with a loan or related service (if we approve your loan application);
- administering your loan or any related service, for example, to answer requests or deal with complaints;
- identifying and verifying your identify (including at the point of sale but also subsequently, if we need to);
- telling you about other products or services we or our related companies make available and that may be of interest to you, unless you tell us not to (this relates to direct marketing);
- allowing us to run our business efficiently and to perform administrative and operational tasks;
- preventing or investigating any fraud or crime or any suspected fraud or crime;
- as required by any law, regulation or code binding on us; and
- any purpose to which you have consented.

You can tell us at any time if you no longer wish to receive direct marketing information or offers from us. We will process your request as soon as reasonably practicable after receipt of your request.

Also we may use personal information about you to:

- enable an insurer to assess the risk of providing insurance to the us or to address our arrangements with an insurer;
- consider hardship requests; and
- assess whether to securitise loans and to arrange securitising loans we make.

### **How we share your personal information**

#### Sharing information with credit providers

We can seek from and use or give to another credit provider any information including relating to your credit worthiness, credit standing, credit history or credit capacity. In particular, we or any insurer we use may seek an opinion from a credit provider or a Credit Reporting Body and such person is authorised to provide an opinion on you.

#### Sharing information with third parties

We may seek from and use or disclose information about you to third parties in relation to: considering your application for credit; administering your loan; exercising

rights under your credit contract; or, any insurance policy an insurer issues to us relating to your loan. These third parties may include:

- your representatives, attorneys, lawyers, accountants and agents that act on your behalf;
- your referees, including your employer or other individuals to confirm your identify and/or other details about you (if and when we need to check these matters);
- other insurers, re-insurers, claim assessors and investigators;
- other financial institutions including deposit taking institutions;
- organisations in debt collecting, purchasing or factoring debts;
- law enforcement agencies;
- our lawyers, agents, consultants, financial advisers and any other party involved with your loan;
- government and/or regulatory bodies including the Inland Revenue Department, Department of Internal Affairs, and the Financial Markets Authority as required or authorised by any law. In many cases these organisations may share information with foreign authorities;
- Rating agencies, to the extent necessary to allow these agencies to rate particular structured / investment products that we may develop in connection with your loan;
- any organisation involved or connected with the securitisation of your loan, including loan servicers, trust managers, trustees and security trustees, insurers and re-insurers;
- organisations that provide us with the infrastructure in order to provide the credit services to you, which includes 10Group (a related entity) which seconds certain individuals to us in order to supply services to you;
- organisations that provide us with product advice, planning, research and development;
- Mailing houses and tele-marketing agencies that assist us to communicate with you; and
- service providers including IT and data consultants, agents, contractors and advisers that assist us to conduct our business.

#### Sharing information with Credit Reporting Bodies

We can give personal information about you (including details of overdue payments) to a Credit Reporting Body, which may use this information to create or maintain a credit information file about you. A Credit Reporting Body may include information about you in reports that it gives other organisations (such as other credit providers) to help them assess your credit worthiness.

Some of the information held by a Credit Reporting Body may reflect adversely on your credit worthiness, for example, where you fail to make payments or if you commit a series credit infringement (like obtaining credit by deception / fraud). If information of this nature is held on your credit file then this will likely materially affect your ability to obtain credit from other credit providers in the future.

Currently we deal with the Credit Reporting Bodies disclosed in the Schedule. Each Credit Reporting Body also has a policy about how they handle information about you. You should be able to obtain a copy of their policy by contacting them directly.

If you believe that you have been or are likely to be a victim of fraud (including identity fraud) you can request a Credit Reporting Body not to use or disclose the information they hold about you for a prescribed period of time (currently 10 working days).

#### Sharing information with related companies

We may share information about you with our related companies for the purposes described above.

#### Sharing information outside of New Zealand

We may store information about you in cloud or other types of networked or electronic storage. As electronic or networked storage can be accessed from various countries through an internet connection it is not always practical to know in which country information about you may be held.

We will take reasonable steps to ensure that any overseas organisation that receives your personal information will comply with the Act.

#### **If you do not provide personal information**

If you do not provide your personal information to us, it may not be possible:

- to provide you with the product or service you have applied for. For example, if personal information is not disclosed to us we will not be able to process your loan application. If personal information is not disclosed to an insurer (if we require insurance in relation to your loan), it may not be able to process our request for insurance. In that case, we will likely not be able to proceed with your loan application;
- to manage or administer the loan we make to you;
- to verify your identity or protect against fraud; or
- to let you know about other products or services that might be suitable for your financial needs (unless you opt out of this by telling us that you do not wish to receive such information).

#### **Information about other people**

If for any reason you give us personal information about any other person in relation to the loan application or the loan:

- we are entitled to assume that you have sought their consent to the disclosure of such personal information to us;
- we have collected their personal information to assess the loan application, to manage any loan you receive from us and for any other purpose set out in this document;
- we may exchange this personal information with other organisations set out in this document;
- we handle their personal information in the same way as set out in this document and they can:
  - access or request a copy of this privacy notice; or
  - access the information we hold about them,

- by using the contact details for us in the Schedule; and
- you may not be able to get credit from us or we may not accept your loan application unless we obtain their personal information.

#### **Anonymity and pseudonymity**

We are not able to deal with a loan application if you do not wish to identify yourself. However, where possible we will provide information of a general nature such as for example, in relation to the products and services we supply, to unidentified individuals via our website.

#### **Information security**

We take reasonable steps to protect all information which we hold from misuse, loss, unauthorised access, modification or disclosure.

#### **Marketing and opt-out**

We may also use the information including personal information provided by you for marketing and research purposes, to analyse and improve products and services and to inform you of products and services provided by us, our related entities or preferred suppliers which we consider may be of value or interest to you, unless you tell us (see marketing opt) or have previously told us not to. You agree that where we send you commercial electronic messages, we do not need to include information in each message about how to unsubscribe from our mailing list.

#### **Accessing your Personal Information**

You have the right to request access to any personal information held by us which relates to you. This information will be provided to you unless we are entitled to withhold it. We may charge a reasonable fee where access to personal information is provided. Any requests for access to your personal information should be made in writing to the Privacy Officer (specified below). You also have the right to request the correction of any personal information which relates to you that is inaccurate, incomplete or out-of-date.

If you require any further information about our management of personal information or have any queries or complaints, you should contact the relevant Privacy Officer for the relevant Organisation (specified in the Schedule).

#### **Consent and agreement**

By proceeding with your loan application via our website and in particular, by checking the box that you have “read and understood our privacy policy and collection notice” you will be taken to have received notification of this privacy policy and collection notice and given your agreement to the matters set out in this document.

Also, by proceeding with your loan application via our website and in particular, by checking the box that you have “read and understood our privacy policy and collection notice” you also declare that you are over the age of 18 years and that the information contained in the loan application is true and correct in every respect and it is upon this basis that you make the loan application.

## SCHEDULE

In this notice and acknowledgement:

**Credit Reporting Body** means:

**Veda Advantage Business Information Services Ltd**

Address: Private Bag 92156, Auckland Mail Centre, Auckland 1142

Telephone: 0800 698 332 (8:30am – 5:00pm Monday – Friday)

Website: [www.veda.co.nz](http://www.veda.co.nz)

Online: [www.mycreditfile.co.nz](http://www.mycreditfile.co.nz)

Veda Advantage's credit reporting policy is set out at <http://www.veda.com>

Including any other Credit Reporting Body that we notify to you in relation to your application for credit or guarantee or loan.

**10 Group** means:

**10 Group Pty Ltd**

ABN 30 003 883 850

Address: Level 1, 30 Wilson Street, NEWTOWN NSW 2042 Australia

Telephone: +61 2 9550 1021

Email: [privacy@10group.com.au](mailto:privacy@10group.com.au)

**Art Money** means

**Art Money New Zealand Limited**

NZBN 94290420032243

Address: PO Box Auckland City 1143, New Zealand

Telephone: 0800 004 682

Email: [privacy@artmoney.com.au](mailto:privacy@artmoney.com.au)