

Last Updated: 25 May 2021

This Privacy Policy discloses practices of New Zealand Internet Exchange Incorporated (“NZIX”) in accordance with our statutory obligations under the Privacy Act 2020 and the Telecommunications Information Privacy Code 2003.

Our Privacy Policy explains:

- What information we collect, who we collect it from and why we collect it;
- How we use that information;
- The circumstances in which we may disclose that information to others; and
- Your choices in relation to your information, including how you can access and correct that information

1. Information NZIX Collects

We collect the following information about you:

- **Information you give us:** We collect personal information about you when you apply for membership, register for events, subscribe to our newsletter or mailing lists or enter surveys. We also collect personal information about you when you purchase our products and services and otherwise communicate with us. This personal information may include your name, contact details, email address, credit card details, place of work, position and other details necessary for us to access your membership application or provide the information or services you have requested.
- **Information you authorise others to give us:** When you inquire about or purchase products and services from us, we may ask for your consent to collect information about you from others (for example, to undertake credit checks, obtain references or to co-operate with your other service providers or suppliers). In these instances, we may collect information about you from the sources that you have authorised, such as credit rating agencies, service providers and referees. We may also collect information about you from government agencies.
- **Information from your use of our services:** We record information about how you use and interact with our services, for example how, when, where and how often you use our products and services, login information and the internet protocol address of the device(s) you use to access our services. We also maintain records of your communications with our customer support team and other staff, including phone calls and e-mails.
- **Information from your use of our website:** We receive information why you interact with and use our website. We use server logs and different Web analytic tools to help us record this information (including ‘cookies’, ‘pixel tags’ and other anonymous identifiers). These tools may gather information such as what browser and operating system you use, the URL of the site from which you came and the site to which you are going when you leave our website, search terms, your location and what content, products and services are viewed when visiting or registering for services on our website.

We also use third party service providers (for example, Google) to help us track the effectiveness of our website, generate visitor traffic and to display targeted advertising. These advertisements may collect anonymous information about your visits to the website on which such advertisement is placed, your interaction with these ads and the products and services offered by us and others through the use of a cookie (such as a Google Analytic or Double Click cookie) pixel tag or other web technologies. We, Google and other selected marketing organisations may use this anonymous information to inform, optimise and provide targeted advertisements to you.

Our website may contain links and advertisements which link to third party websites. We have no control over the privacy policies of such third parties and we encourage you to review such policies prior to providing any information to or purchasing goods or services from such third parties.

2. How NZIX uses information collected

We use the personal information collected by us for the following purposes:

- Assessing and communicating with you about an application for membership by you or the organisation you represent and in relation to such membership;
- Providing you with information, products or services that you or the organisation you represent have requested;
- Verifying that existing information we hold about you is accurate and complete;
- Maintaining and improving our services and website, training our staff and monitoring use of our services;
- Confirming your identity, controlling unauthorised use or abuse of our services and verifying compliance with applicable laws;
- Undertaking credit reference checks, invoicing and authorising and processing credit card transactions;
- Assisting us in performing our obligations or enforcing our rights under any agreement we may have entered into with you or the organisation you represent;
- Communicating with you to inform you about our services, letting you know about upcoming changes, improvements or new products and services you may be interested in;
- To undertake any other promotional activities where you have consented to such promotional activities;
- Providing you with effective customer service and otherwise helping to solve any issues or problems you or the organisation you represent may have with our services or website;
- Carrying out any activity in connection with a legal, governmental or regulatory requirement on us or in connection with legal proceedings, crime or fraud prevent, detection or prosecution; and
- For the further purposes identified in any specific supplemental privacy notice posted on the page or area of our website where you provided that information.

We will ask for your consent before using personal information for a purpose other than those that are set out in the Privacy Policy.

We may use anonymous or 'non-personally identifiable' information:

- To personalise and support your use of our website, our services, and/or the services of our customers;

- To improve our website, the customer experience, our marketing systems, and our products and services;
- To deliver targeted advertisements on our website and other third party websites;
- To provide reporting to our current and prospective service providers; and
- For other historical, statistical or research and analysis purposes.

We keep your personal information only as long as we need it for the purposes for which it was originally collected (or to which you have subsequently consented), for other legitimate purposes (such as regulatory compliance) and as permitted or required by applicable laws.

We store and process information (both personal and non-personally identifiable information) on servers in several different countries around the world, including New Zealand and Australia. We may therefore hold or process your personal information on a server located outside the country where you reside. Information held in another country may be subject to the privacy laws of that country and may permit government and other regulatory authorities to access to such information in certain circumstances.

3. Information NZIX shares

Ensuring and respecting your privacy is important to us. We may however, need to disclose your personal information to third parties (some of who may be located outside of New Zealand). If we do this, we will only disclose your information when we have your express consent to do so or:

- To our dealers and suppliers whose products and services support the services we provide to you and where such disclosure is necessary for them or us to provide services or information you or the organisation you represent have requested;
- To our agents, contactors and advisers and in such event, we will require that such agent, contractors or advisors protect your personal information in a manner consistent with the privacy policy;
- To other network operators as required to provide and/or support the products and services we provide to you or the organisation you represent or who use our network to provide services to you;
- To credit reference agencies (if you have agreed) who may share your information with other organisations and who may keep a record of the search we make against your name;
- To debt collection agencies or companies in order to collect any money you or the organisation you represent owe to us;
- If someone else is responsible for or pays your account, such as your company or employer, to that person;
- To our advertisers, customers, potential customers and partners buy only in respect of aggregated user statistics and other information that does not personally identify you;
- To persons we are legally required to provide your information to, including law enforcement agencies (such as the police or the Serious Fraud Office), emergency services, government departments and regulatory authorities; and
- To any other person or organisation as authorised by the Privacy Act 2020 and/or the Telecommunications Privacy Code 2003.

Occasionally we may send information or offers to you on behalf of other organisations or businesses. When we do this however, we do not share your personal information with those other organisations or businesses.

We may share aggregated, non-personally identifiable information publicly and with our contractors, service providers and other third parties such as NZRS Limited (the registry for .nz domain names) and marketing, search and research organisations, for example, Google.

4. Your information choices

When you provide personal information, we may offer you a choice as to whether you would like to receive further communications from us or from our partners, such as communications related to updates, upgrades and special offers. You have the right to withdraw your consent to receive such communications at any time. If you decide you no longer want to receive marketing communications or third party promotions administered by us, you may let us know by changing your preferences using the Member Portal, by emailing us at privacy@ix.nz or by following any unsubscribe link in our emails. Please specify which consent you are revoking in your email to us.

You may set your browser to block all cookies, including cookies associated with our website or services, or to indicate when a cookie is being set by us. If you set your browser to reject all cookies however, you may not be able to use all of the features and functionalities of our website or our services.

5. Accessing and correcting Personal Information

You have a right to access, and ask us to correct or delete any inaccurate personal information we may hold about you. If you would like to review or correct your personal information, please contact us by one of the following methods:

- By postal mail addressed to us, Attn: Privacy@NZIX, C/- PO Box 58276, Botany, Auckland 2163, New Zealand; or
- By email at privacy@ix.nz

If you contact us we may, for your protection, ask you for additional information to verify your identity. We will use all reasonable efforts to respond to any such request as soon as reasonably practicable and in any event, within 20 working days. If you request that we correct or delete any inaccurate personal information, we will respond to any such request as soon as reasonably practicable and in any event, within 20 working days.

Please be aware that even after your request for a correction of information is processed, we may keep a copy of the information that you originally provided to us in our archives for uses documented in this Privacy Policy or otherwise permitted by law and may for a time, retain residual information about you in backup and/or archival copies of our databases.

6. Changes

We may occasionally change our Privacy Policy. These changes may reflect, among other things, changes in applicable laws or regulations, changes to our data collection practices, and/or changes to our business or services.

We will post any updated policy on this page and if the changes are significant, we will provide a more prominent notice on our Website. You can tell if the privacy policy has been changed by checking the revision date that appears at the top of this policy. We will also keep prior versions of this Privacy Policy in an archive which you can access.

Using our services or website after a notice of changes has been published on our website shall constitute your consent to the changed terms or practices. We encourage you to review our privacy policy periodically for any changes.

7. How to contact us

NZIX welcomes your feedback about our Privacy Policy. Please send your questions, concerns or comments regarding our Privacy Policy to:

- By postal mail addressed to us, Attn: Privacy@NZIX, C/- PO Box 58276, Botany, Auckland 2163, New Zealand; or
- By email at privacy@ix.nz