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# **PRIVACY POLICY**

**27 February 2024**

**Version 3.0**

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## **1. Background**

- 1.1. Punakaiki Fund Limited or our manager 2040 Ventures Limited (together “our, we or us”) (“our, we or us”) are committed to protecting our investors’ personal information. We have created this Privacy Policy to help you understand how we collect, use and protect your information. This policy is provided for your information and doesn’t limit or exclude your rights under the Privacy Act 2020.

## **2. Collecting your personal information**

- 2.1. We only collect information relating to you that you have provided to us (through share applications, option applications, detail update forms and other mechanisms) or that we may have obtained from another source if you have given us permission to do so (such as electronic identity checking for the purposes of complying with the Anti-Money Laundering and Countering Financing of Terrorism Act 2009).
- 2.2. This information may include your name, date of birth, address, telephone numbers, email address, IRD number, Common Shareholder Number, RWT Exemption certificate, documents relating to your qualification/exemption under the Securities Act 1978 and any other information collected in relation to your shareholding in Punakaiki Fund Limited.

## **3. Using your personal information**

- 3.1. The information that we collect from you may be used by us for a number of purposes connected with your shareholding, including (but not limited to):
- a) If required, assisting you to acquire, transfer or dispose of shares and options in Punakaiki Fund Limited, including meeting the requirements of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 and the Securities Act 1978;
  - b) For Catalist Markets Limited to administer the Punakaiki Fund Limited share register, including updating and correcting your details as required;

- c) To communicate to you as a security holder in Punakaiki Fund Limited, including providing quarterly and annual reports, updates and other information;
- d) To provide for your ability to attend security holder meetings (such as the Annual General Meeting), to vote on Shareholder Resolutions and otherwise provide feedback to us;
- e) Carrying out any activity in connection with our legal, governmental or regulatory requirement; and
- f) For other general administrative and corporate/business purposes.

#### **4. Sharing your personal information**

4.1. We do not sell, rent, monetise or otherwise make available any personal information to third parties. We do, however, outsource certain business functions to other organisations (i.e. Catalist Markets Limited who manages the share register of Punakaiki Fund Limited on our behalf) and we also have requirements to comply with certain laws and regulations. On this basis, we will only disclose your information to:

- a) those organisations who provide products or services to us in relation to the activities for which your information has been collected (for example, Catalist Markets in respect of the share register or to the supplier of electronic identity verification services for the purposes of complying with the Anti-Money Laundering and Countering Financing of Terrorism Act 2009);
- b) persons to whom we may be required to pass your information by reason of legal, governmental or regulatory authority including law enforcement agencies and emergency services; and
- c) any person or organisation as authorised by the Privacy Act 2020.

4.2. It should be noted that the Share Register of Punakaiki Fund Limited is publicly available on request and will disclose your name, address and the number of shares you hold. From time to time, we may also publish aggregated information about Punakaiki Fund Limited's security holders.

4.3. Your personal information may only be disclosed to organisations overseas where comparable privacy safeguards to that provided by the Privacy Act 2020 are in place, and only for specific purposes, unless you give specific permission for us to disclose your personal information to other overseas parties. These specific purposes may include identity and credit checks, online applications, personal requests by you, and for some updates of the fund you would like to receive from us. We may also hold your personal information with overseas entities that assist us in the provision of our services, such as Dropbox, which is located in United States. We will take all reasonable steps to ensure that any overseas recipients do not breach any of the obligations imposed under the information privacy principals in relations to the personal information we disclose to them.

## **5. Protecting your personal information**

- 5.1. Your personal information is securely stored in our on-site databases and all of our external cloud service providers. Only certain authorised staff can access your personal information and these staff members are required to maintain the confidentiality of your personal information at all times. We will take reasonable steps to ensure that the personal information we collect, use or disclose is accurate, complete, up-to-date and stored in a secure environment protected from unauthorised access, use, modification or disclosure.
- 5.2. For any notifiable privacy breaches, we will notify the Privacy Commissioner and affected individuals as soon as practicable after becoming aware of it. A privacy breach includes unauthorised or accidental access to personal information, or disclosure, alteration, loss or destruction of personal information. That breach will become notifiable if it is reasonable to believe the breach has caused serious harm to an affected individual, or is likely to do so.

## **6. Accessing and updating your personal information**

- 6.1. You have the right to know whether or not we hold any personal information about you. You also have the right to access your personal information.
- 6.2. You may request access to the personal information we hold about you by sending an email to: [info@punakaikifund.co.nz](mailto:info@punakaikifund.co.nz) or our Chief Financial Officer (Ben Kay) at [ben@punakaikifund.co.nz](mailto:ben@punakaikifund.co.nz). Please quote your name and address and let us know what information you are seeking.
- 6.3. We will not be able to provide your personal information if we do not know or don't have reasonable grounds to believe it is personal information about you or if disclosing the information would involve the unwarranted disclosure of the affairs of another individual.
- 6.4. You can request correction or amendment of the information held by us at any time and as often as necessary by contacting us and specifying the information that you require changed.
- 6.5. For further information about New Zealand's Privacy Act 1993 and how it protects the personal information of individuals in New Zealand, see [www.privacy.org.nz](http://www.privacy.org.nz).

## **7. Internet use**

- 7.1. We make every effort to maintain the security of our internet communication; however, for reasons outside of our control, security risks may still arise from time-to-time. Any personal information transmitted to us via the internet will therefore be at your own risk, however, we will ensure that any such information remains secure on a “best endeavours” basis.

## **8. Changes to our Privacy Policy**

- 8.1. This Policy shall be reviewed:

- a) every third year, on or near the anniversary of the previous review; and
- b) from time-to-time more frequently at the direction of the Punakaiki Fund Limited Board.

<b>Version</b>	<b>Date Adopted</b>
V1.0	13 November 2014
V2.0	12 February 2021
V3.0	27 February 2024