

Privacy Policy

Financial Advice Provider (FAP)

1. Our Commitment to Protect Your Privacy

We understand how important it is to protect your personal information. This document sets out our privacy commitment in respect of personal information we hold about you and what we do with that information.

It is important to us that you are confident that any personal information we hold about you will be treated in a way which ensures protection of your personal information.

Our commitment in respect of personal information is to abide by the Privacy Principles set out in the Privacy Act 2020 and all other applicable laws. This Privacy Policy applies in addition to, and does not limit, our rights and obligations under the Privacy Act and other applicable laws.

As a Financial Advice Provider (FAP) regulated by the Financial Markets Authority (FMA) , we also comply with the Financial Markets Conduct Act 2013 and relevant FMA regulations.

2. Who We Are

References in this Privacy Policy to "we", "us" and "our" means:

ACNL LIMITED T/A TOP MORTGAGE
FAP Licence Number 767731

We act as a Financial Advice Provider under a licence issued by the Financial Markets Authority (FMA). We are not a bank, lender, or insurer.

3. Your Rights Under Financial Advice Regulations

knowledge, and skill set out in the Code of Conduct; As a client receiving financial advice, you have the following rights under the Financial Markets Conduct Act 2013. We and any person giving advice on our behalf are bound by duties to:

- Meet the standards of competence,
- Give priority to your interests;
- Exercise care, diligence, and skill; and
- Meet the standards of ethical behaviour, conduct, and client care set out in the Code of Conduct.

4. Your Authorisation

By providing us with personal information, engaging us to provide you with financial advice services, or by using our website, you authorise and consent to the collection, use, storage and disclosure of personal information in accordance with this Privacy Policy.

5. Changes to Our Privacy Policy

We may change our Privacy Policy from time to time by publishing an updated version on this page. Changes will reflect changes in the law, FMA guidance, and our business needs, provided they do not disadvantage you. By continuing to engage us or use our website, you will be deemed to have accepted the updated Privacy Policy.

6. What Personal Information Do We Collect?

When we refer to personal information, we mean information that identifies, or is capable of identifying, you. This includes your name, date of birth, address, contact details, account details, and occupation.

If you engage us to provide financial advice, we may collect personal information about your financial situation, goals, income, expenses, assets, liabilities, and health information (for insurance) to enable us to recommend mortgage and insurance products that we are authorised to advise on (Products).

7. Why Do We Collect Your Personal Information?

We collect your personal information for the purposes of providing our financial advice services and managing our relationship with you, including:

- Responding to your requests or inquiries;
- Providing advice and recommending Products to you;
- Sending communications and direct marketing about products and services we think may be of interest to you (by mail, telephone, email, or SMS/MMS);
- Market research and improving our services;
- Meeting our legal and regulatory obligations under the Financial Markets Conduct Act and Privacy Act;
- Any other purpose authorised by you or the Privacy Act.

You may opt out of receiving marketing information at any time by notifying us in writing.

We may also collect personal information (including credit information and health information) on behalf of lenders, insurers, and other Product Providers you choose to apply with. Those Product Providers will have their own privacy policies.

8. How Do We Collect Your Personal Information?

Generally, we will collect your personal information directly from you – for example, through our website, contact forms, meetings, phone calls, or emails.

We may also collect your personal information from:

- NZ Financial Services Group Limited (NZFSG) and its related bodies corporate (our adviser support and aggregation partner);
- Credit reporting agencies (with your consent);
- Banks (e.g., via bank statement services like illion Bank Statements, with your authorisation);
- Employers (with your consent);

- Product Providers (e.g., loan balances or insurance premiums, to assist you as your circumstances change);
- Any other person authorised by you or the Privacy Act.

If you provide personal information about anyone else to us, you confirm that you have collected that information in accordance with the Privacy Act, and that the individual has authorised the disclosure to us and the collection, use, and disclosure of their personal information by us under this Privacy Policy, and has been informed of their right to access and correct their personal information.

9. Conflicts of Interest and Commissions

Important Disclosure: We may receive commissions or other incentives from Product Providers (lenders and insurers) when you take out a product through us. For example, if you decide to take out a loan or insurance policy, the lender or insurer will pay a commission to us. The amount of commission is typically based on the amount of the loan or premium .

This creates a conflict of interest, as we may have an incentive to recommend products that generate higher commissions. We manage this conflict by:

- Ensuring that all advice is provided in your best interests (as required by law);
- Providing you with a Statement of Advice (if applicable) that outlines our recommendations and the reasons for them;
- Upon request, disclosing the specific amounts or percentages of commissions we receive.

You are entitled to ask us about any incentives or conflicts of interest before receiving advice.

10. Who Do We Disclose Your Personal Information To?

We may disclose your personal information only where necessary for the purposes described in section 7 above, including to:

- NZFSG and its related bodies corporate;

- Product Providers (lenders, insurers) and other prospective lenders, third parties, or intermediaries in relation to your finance or insurance requirements;
- Any person with whom a lender or insurer proposes to enter into contractual arrangements;
- Any guarantor, trustee, assignee, or potential assignee of a lender's or insurer's rights;
- Our referral partners (who can help you with other services, such as legal or accounting services);
- Contractors or service providers who help us operate our business;
- Any entity to whom we assign or transfer any of our rights or obligations, or sell all or part of our business;
- Regulators and government agencies (including the FMA) where legally required or authorised;
- Auditors (including NZFSG) to ensure we are providing services in your best interests and in accordance with regulations;
- Your employer, referees, credit reporting agencies, and identity verification agencies;
- Any other person or entity authorised by you or the Privacy Act.

You acknowledge that credit reporting agencies may hold your credit information (including default information) and use it to provide credit reporting services to their customers.

Before disclosing your personal information to another person or organisation, we take all reasonable steps to satisfy ourselves that they have a commitment to protecting your personal information at least equal to our commitment.

11. Do We Disclose Your Personal Information to Anyone Outside New Zealand?

Yes. We may use cloud storage services to store personal information we hold about you. Those servers may be located outside New Zealand (e.g., Australia or other jurisdictions).

We may also disclose personal information to NZFSG and its related bodies corporate, and to third-party suppliers and service providers located overseas (including for data storage,

analytics, or marketing automation). When we do so, we take reasonable steps to ensure the recipient is bound by privacy obligations comparable to the Privacy Act 2020.

12. Our Website

Cookies and IP addresses

When you access our website, we may send a "cookie" (a small summary file containing a unique ID number) to your computer. This helps us recognise your computer each time you visit. We use cookies to measure traffic patterns, analyse trends, administer the website, track users' movements, and gather broad demographic information.

Our cookies may record information such as your IP address, device and browser type, operating system, pages visited, time spent, frequency of use, search terms, links clicked, and other usage statistics.

If you submit your name and email address, we may link that personal information with cookie information previously collected.

You can set your browser to reject cookies if you wish.

Security

Our website is linked to the internet, which is inherently insecure. We cannot guarantee the security of transmission of information you communicate to us online. Any personal information you transmit online is at your own risk.

Links and Third-Party Advertisements

Our website may contain links to third-party websites or display third-party advertisements. We are not responsible for the privacy practices of those third parties. Third-party websites are responsible for informing you about their own privacy practices.

13. Are You Required to Provide Personal Information to Us?

You are not required to provide personal information, but if you do not, it may affect our ability to provide financial advice services to you, or your ability to obtain finance, insurance, or other Products from Product Providers.

Where lawful and practicable, we may offer you the ability to make general inquiries (e.g., about interest rates) without providing personal information. You may browse our website anonymously, but we may not be able to contact you unless you provide your details.

14. Your Rights (Privacy Act 2020)

Access and Correction

You may request access to, or correction of, any personal information we hold about you at any time by contacting us. We may charge a reasonable fee for retrieving and supplying the requested information.

Withdrawal of Consent: You may withdraw your consent to our collection, use, or disclosure of your personal information at any time by contacting us. Withdrawal of consent may affect our ability to continue providing services to you.

15. Complaints and Dispute Resolution

Internal Complaints

If you believe we have breached your privacy or otherwise wish to complain about our handling of your personal information, please contact us in writing:

www.topm.co.nz

Phone: 09 949 0099

Send email to our Managing Director: Annie Tsai

We will acknowledge your complaint within 5 working days and endeavour to resolve it within 20 working days.

External Dispute Resolution

If you are not satisfied with our response, you have the right to refer your complaint to:

(a) Office of the Privacy Commissioner (for privacy complaints)

www.privacy.org.nz

Phone: 0800 803 909

(b) Free Independent Dispute Resolution Scheme (for financial advice complaints)

If your complaint relates to our financial advice services (including how your information was handled in relation to advice), you have access to a free, independent dispute resolution service.

Our dispute resolution scheme is:

Insurance & Financial Services Ombudsman Scheme Inc.

Email: info@ifso.nz

Phone: 0800 888 202 or +64 4 499 7612.

Postal: PO Box 10-845, Wellington 6143, New Zealand

This service may help investigate or resolve your complaint if it is not resolved to your satisfaction using our internal complaints process .

The FMA also has regulatory oversight of financial advice providers.

16. Updating Your Personal Information

We rely on you to ensure the information we hold about you is accurate. If any of your details change, please contact us as soon as possible.

17. Further Information

If you have any questions about this Privacy Policy or your personal information, please contact us:

Attention: Annie Tsai

Email: annie@topm.co.nz

Phone: 64 21 341213

Postal Address: 4/12 Amera Place, Huntington Park, Auckland