



HiFX  
Privacy Policy

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HiFX

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## Introduction

Protecting your privacy and keeping your personal information confidential is important to us.

Personal information is information or an opinion about you. This policy does not apply to the handling of information that does not relate to individuals, for instance information about corporations.

This policy explains-

- a. How HiFX will collect and hold your personal information;
- b. What kinds of personal information HiFX will collect and hold about you;
- c. The purposes for which HiFX collects, holds, uses and discloses your personal information;
- d. Who HiFX is likely to disclose personal information to, and whether they will include overseas recipients;
- e. How you may access and ask for correction of your personal information held by HiFX;
- f. The complaints process that HiFX has in place if you feel we have breached any privacy principles.

## HiFX entities covered by this policy

This policy applies to HiFX Limited, a company incorporated in New Zealand, and subject to the Privacy Act 1993 (New Zealand) and the Privacy Act 1988 (Australia). HiFX Limited operates under the following trading names HiFX, Currency Online and XE, collectively referred to as HiFX in this policy.

## Collecting your personal information

HiFX collects most personal information directly from you, for example you provide us with information when you open an account with us, complete an application form, speak to us over the telephone, send us a letter or e-mail, or use our websites.

When you apply for an account with HiFX, HiFX may collect and hold information from you such as your name, date of birth, address, contact details, and your tax residence status. As we provide you with products and services we collect and hold information about your transaction history with us.

HiFX may collect information about you that is publicly available, including information from telephone directories, the electoral roll or other websites.

HiFX may collect your personal information from the following third parties:

- a. Financial institutions involved in any transaction that you conduct through HiFX;
- b. Organisations that HiFX has an arrangement with to share information for marketing purposes to promote a product or service;
- c. Affiliates and other parties that may have introduced you to HiFX.

HiFX may collect information about how you use the HiFX and other websites to help us improve our services and products. HiFX may do this when you visit the HiFX websites or a website where the HiFX services are advertised. The information we collect in this way is general information only derived from cookies, such as the number of visitors to the website, and does not identify you. We identify you when you log into an online HiFX service. We use and/or disclose this information in accordance with this Policy.

## Applicable laws

HiFX may collect personal information from you because we are required or authorised by New Zealand or Australian law or court or tribunal order to collect that information. HiFX will tell you if we are collecting personal information from you because it is required or authorised by law, court or tribunal order.

For example when you open an account with us, or where a transaction is conducted on your behalf using an account with HiFX, HiFX is required under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (New Zealand), to collect certain personal information from you to establish your identity and address, and to prove your identity and address by collecting your driver's licence, passport details, or motor vehicle registration details.

HiFX may collect information about your tax residency status. This is required under legislation in New Zealand and Australia for the purpose of implementing taxation information sharing agreements. For example, New Zealand and Australia, respectively, has agreements in place with the United States that requires HiFX to collect information about US tax residency from our clients.

## Purpose for collecting, holding and using your personal information

HiFX collects, holds and uses your personal information for the following reasons:

- a. To open, operate, administer and maintain your account and all products and services provided to you by HiFX, its bank counterparties, or nominated Affiliates.
- b. To keep you informed of improvements to HiFX's services and products and to provide you with other relevant information about HiFX, its products and services.
- c. To establish your tax status, and monitor whether information must be disclosed to the Government and foreign governments under any Australian, New Zealand or foreign legislation pursuant to an agreement with any tax authority.
- d. To confirm your identity and address, for example, electronically match your personal information with identification information on third party databases.
- e. To prevent, investigate, monitor or screen any actual or suspected money laundering, financing of terrorism, fraud, crime or misconduct.
- f. To manage your relationship with HiFX, for example to respond to your queries, consider any concerns or complaints that you raise against HiFX, and to manage any legal action between you and HiFX and collecting debts.
- g. To perform other administrative and operational tasks, including risk management and systems development and testing, conduct market research, data processing and statistical analysis.
- h. To comply with orders, summons, directions and written notices issued to HiFX by a regulator with enforcement powers over HiFX such as the Financial Markets Authority or the Australian Securities & Investment Commission, in execution of their statutory information gathering and enforcement powers.
- i. For purposes as required by relevant laws, regulations and external payment systems.

## Consequences if your personal information is not provided

If HiFX is not able to collect your personal information, we may not be able to deal with you or provide you with products or services.

## Local and overseas recipients of your personal information

HiFX may disclose your personal information to the following recipients for the purposes stated in 5:

- a. HiFX's related companies (HiFX has related companies in United Kingdom, Canada and the United States), its bank counterparties (HiFX has bank counterparties in New Zealand, Australia and United Kingdom), banks that are involved in the transaction that you conduct through HiFX (worldwide, depending on where your funds will come from and go to), and its Affiliates (HiFX has Affiliates worldwide);
- b. Third party service providers (HiFX has third party service providers in Australia, United Kingdom, Canada and the United States) that provides us with electronic verification services of our customer's identity and address information, internal audit services, development, maintenance and reporting from our client management databases;
- c. The police, certain governmental agencies or other financial institutions, locally or overseas, where we reasonably believe that disclosure will assist the investigation, detection, and/or prevention of money-laundering, fraud or other criminal offences;
- d. The Government and foreign governments where we believe disclosure is required to comply with regulatory and other requirements;
- e. Credit reporting agencies in New Zealand, Australia, United Kingdom, Canada and Singapore for the purpose of verifying the identity of customers in accordance with the Anti-Money Laundering and Countering Financing of Terrorism Act 2009;
- f. Debt collection agencies;
- g. Regulators with enforcement powers over HiFX such as the Financial Markets Authority or the Australian Securities & Investments Commission;
- h. Any other party authorised by you.

Some of the recipients referred to above are overseas. When we disclose your information overseas, we are required to take measures to ensure your information is treated in accordance with the standards that apply under Australian law. Exceptions include where HiFX is required by Australian law to disclose information overseas, or where we obtain your consent not to take these measures.

The likely countries that information may be sent include: New Zealand, Australia, United Kingdom, United States. This is not a complete list of the countries to which your information may be disclosed by us. In some circumstances the nature of your transactions with HiFX may require us to disclose your information to other overseas countries. For example, if you request to pay funds to an overseas person, we will be required to disclose your information to one or more overseas banks that are involved in making the payment. The location of these overseas banks will depend on where you are sending the payment.

## We require your consent when you open an account with HiFX

We will specifically request your consent for the following when you open an account with HiFX:

- a. If you are resident in Australia, that you authorise and consent to HiFX disclosing to overseas recipients as outlined in 7, for the purposes stated in 5. That you agree that in respect of disclosures to overseas recipients, Australian Privacy Principal 8.1 will not apply and if the overseas recipient handles any of your personal information in breach of the Australian Privacy Principles, HiFX will not be accountable to you under the Australian Privacy Act and you will not be able to seek redress under that Act. In addition, the overseas recipients of your information may not be subject to any privacy obligations or to any principles similar to the Australian Privacy Principles. You may not be able to seek redress against the overseas recipient of your information in the relevant overseas jurisdiction. The overseas recipient is subject to a foreign law that could compel the disclosure of your personal information to a third party, such as an overseas authority.
- b. Where an Affiliate has introduced you to HiFX, you authorise and consent to HiFX disclosing to that Affiliate from time to time, your name and any profit HiFX makes on your FX Transactions for the purposes of HiFX complying with its obligations under its agreement with that Affiliate. If you are resident in Australia, and the Affiliate is outside of Australia, you agree that Australian Privacy Principal 8.1 will not apply and if the overseas recipient handles any of your personal information in breach of the Australian Privacy Principles, HiFX will not be accountable to you under the Australian Privacy Act and you will not be able to seek redress under that Act. In addition, the Affiliate may not be subject to any privacy obligations or to any principles similar to the Australian Privacy Principles. You may not be able to seek redress against the Affiliate in the relevant overseas jurisdiction. The overseas recipient is subject to a foreign law that could compel the disclosure of your personal information to a third party, such as an overseas authority.
- c. To authorise HiFX to obtain personal information from its related companies in United Kingdom and the United States, from its bank counterparties in New Zealand, Australia and United Kingdom, from its Affiliates and suppliers of service, and from financial institutions involved in transactions that HiFX conduct on behalf of the customer, for the purpose set out in 5 above;
- d. To authorise HiFX to access the credit reporting agencies in New Zealand, Australia, United Kingdom, Canada and Singapore to verify your identity and address with information held by the credit reporting agencies;
- e. If you are resident in Australia, to authorise HiFX to access the Australian Document Verification Service to verify your identity and address with information held by the issuing authorities and legal authorities responsible for Visas, Passports, ImmiCards, Diver Licenses, Citizenship Certificates, and Certificates of Registration by Descent;
- f. If you are resident in New Zealand, to authorise HiFX to access the New Zealand Traffic Authority and the New Zealand Government Confirmation Service (ICT) to confirm if your identity information provided to HiFX is consistent with the Department of Internal Affairs source data;
- g. To authorise HiFX to disclose your personal information to the Affiliate who referred you to HiFX;
- h. To record all your telephone conversations with HiFX.

## Use of your personal information for marketing purposes

As part of our service to you, HiFX may use your personal information to identify products and services that may benefit you. HiFX may send you information from time to time about new or existing products and services.

HiFX may disclose your personal information to related companies to enable them to send you information about products or services.

You can let HiFX know if you do not want to receive marketing information from us or our related companies. The contact details for making this request are:

Telephone: 0800 394 439 (New Zealand) or 1 800 006 592 (Australia)

E-mail: [info@hifx.co.nz](mailto:info@hifx.co.nz)

Postal address: PO Box 7646, Wellesley Street, Auckland, New Zealand

## HiFX protects your information

HiFX protects your personal information from misuse and loss. We protect it from unauthorised access, modification, and unauthorised disclosure by making sure that only authorised people are able to access it.

HiFX maintains physical security such as locks and security systems to protect our paper and electronic data. HiFX maintains computer and network security, such as firewalls, identification codes and access codes to control access to computer systems. HiFX continually maintains and monitors its online security systems to ensure that online services are secure and that your personal information is protected when you use these services.

If other organisations provide support services to HiFX, we require them to appropriately safeguard the privacy of the information disclosed to them.

## How you can protect your personal information

You are required to keep your password and access details relating to your online HiFX account secure, and you should not disclose it to anyone else. Please contact HiFX immediately if you believe that your password and access details were disclosed to anyone else, and if you wish to change it.

You should contact us immediately if your contact details change. Your information is collected and held by HiFX at Level 4, 32 Mahuhu Crescent, Auckland, New Zealand. You have the right to access your own personal information, and to request HiFX to correct your personal information, held by HiFX.

## How you can access or correct your personal information

Your information is collected and held by HiFX at Level 4, 32 Mahuhu Crescent, Auckland, New Zealand. You have the right to access your own personal information, and to correct your personal information, held by HiFX.

If you wish to access your personal information or if you feel the information we have about you is inaccurate, incomplete or out-of-date, you can contact HiFX using the contact details provided in 9.

We will promptly update any personal information that is inaccurate, incomplete or out of date. However, if there is a legal or administrative reason to deny your request, we will tell you the reason why. Where we decide not to make a requested correction and you do not agree, you may ask us to make a note of your requested correction with the information.

## Complaints

If you have a complaint about the manner in which your personal information was managed or used, please contact HiFX using the contact details provided in 9. HiFX will attempt to resolve the complaint to your satisfaction within 45 days of the date of your complaint. If you feel your complaint has not been resolved to your satisfaction, you can contact the Office of the Australian Information Commissioner or an external dispute resolution services. When we write to you about our decision, we will explain how you may make a complaint to either the Office of the Australian Information Commissioner or the Office of the New Zealand Privacy Commissioner (as applicable), or access an external dispute resolution service.