

EPEX LIMITED WEBSITE PRIVACY POLICY

Effective 1 July 2020

This Privacy Policy applies to www.epex.co.nz, a website and associated subdomains owned and operated by Epex Ltd.

Epex Ltd (“Epex”, “We”, “Us” or “Our”) provides this Privacy Policy to inform you of Epex’s policies and procedures for the collection, use, retention and disclosure of information that Epex receives from the following:

- Users in the general public (“Public Users”) who visit and use the publicly-accessible website located at www.epex.co.nz (“Epex Site”).
- Users who are customers or prospective customers of Epex (“Customer Users”) who access and use the Epex platform (the “Epex Platform”) as a potential or actual seller or buyer of real estate.

INFORMATION EPEX MAY RECEIVE FROM USERS

1. Public Users: If you are a Public User, in the course of using the Epex Site, you may provide Epex with (i) personally identifiable information such as your name, phone number, picture and/or email address and other information that, if aggregated, could be used to identify you such as your age, gender, languages, city, suburb (some of which may also be inferred from your IP address and browser), and permissions (“Personal Information”); and (ii) feedback, suggestions, complaints, or other descriptions of your experiences, preferences, or interests in Epex or the Epex Site or Epex Platform (“Feedback”).
2. Customer Users: If you are a Customer User, in the course of using the Epex Site or the Epex Platform, you may in addition to the information provided as a Public User provide Epex with (i) Personal Information in your user or account profile with Epex, such as your name, phone number, credit card or other billing information, email address, and home and/or business postal addresses; and (ii) Feedback.

INFORMATION EPEX COLLECTS

In addition to the information identified above, and regardless of the type of user you are, when you visit the Epex Site or interact with the Epex Platform, Epex’s servers and our third party tracking-utility partners gather certain information automatically that your browser sends whenever you visit a website through log files. This information may include, but is not limited to, your computer’s Internet Protocol address, browser type, and information you search for on the Epex Site.

- Cookies

Epex uses a number of automated tracking technologies. Technologies such as cookies, beacons, tags and scripts are used by Epex and our tracking-utility partners, affiliates, or analytics or service providers (Providers). These technologies are used in analysing trends, administering the Epex Site, tracking users’ movements around the Epex Site and to gather demographic information about our user base as a whole. We may receive reports based on the use of these technologies from Our Providers on an individual as well as aggregated basis.

We use cookies to remember users’ settings (e.g. language preference), for authentication, for storing recently visited page information and for routing user traffic. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use our website, but your ability to use some features or areas of our website may be limited and you may not receive the latest content.

- **Log Files**
As is true of most websites, we gather certain information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. We may link this automatically-collected data to other information we collect about you.
- **Local Storage Objects (HTML 5)**
We use Local Storage Objects (LSOs) such as HTML5 to store content information and preferences. Various browsers may offer their own management tools for removing HTML5 LSOs.

HOW EPEX USES AND DISCLOSES INFORMATION

We will share your Personal Information with third parties only in the ways that are described in this Privacy Policy. We do not sell Personal Information that would identify you to third parties.

Epex uses Personal Information obtained by the technical means or directly or indirectly as described above for the following purposes: (i) to provide and improve the Epex Site, the Epex Platform, and related Epex services, features and content, (ii) to administer Customer's registration and users' use of the Epex Site, (iii) to enable users to enjoy and easily navigate the Epex Site and Epex Platform, (iv) to better understand users' needs and interests, (v) to fulfill requests users may submit to Epex, (vi) to personalise users' experience on the Epex Site or Epex Platform, (vii) to provide or offer updates and announcements, and (viii) to provide users with further information and offers from Epex or third parties that a user has asked to receive or that Epex believes users may find useful or interesting, including newsletters, marketing or promotional materials and other information on services and products offered by Epex or third parties.

If you are a Customer User, by participating in the Epex Platform, you acknowledge and agree that Epex will create aggregate reports or other marketing analyses that do not identify Customer Users personally for Epex's internal business and marketing analysis.

SERVICE PROVIDERS AND BUSINESS PARTNERS

Epex may engage third party companies and individuals to operate the Epex Site or the Epex Platform to perform site-related services (such as maintenance services, database management, customer support, sending emails on our behalf and web analytics and site improvement) or to assist us in analysing how the Epex Site and the Epex Platform are used. These third parties will have access to your Personal Information only for purposes of performing these tasks on Epex's behalf. These third parties will not retain a copy of your Personal Information.

OPT-OUT POLICY

If you are either a Public User or a Customer User and decide at any time that you no longer wish to receive email or marketing communications from Epex, please follow the unsubscribe instructions provided in any of our communications or contact us through [Contact Us](#). This will not, though, apply to communications to Customers about the Epex Platform that is considered part of Epex's service, in which case you will continue to receive such communications and may not opt out of receiving them unless you cancel your registration with the Epex Platform.

PUBLICLY-AVAILABLE PERSONAL INFORMATION

Regardless of the type of user you are, you should be aware that Personal Information covered under this Privacy Policy does not and shall not include any information, whether it personally

identifies you or not, that you have already made publicly accessible, As a user, you are deemed to consent to Our collection and use of such Personal Information as set out in this Privacy Policy.

SOCIAL MEDIA FEATURES

The Epex Site might include social media features, such as the Facebook “Like” button. These features may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the feature to function properly. Social media features are either hosted by a third party or hosted directly on the Epex Site. Your interactions with these features are governed by the Privacy Policy of the company providing the feature.

AGGREGATE INFORMATION

Epex reserves the right to use and disclose any information that is aggregate in a format such that you are not identifiable from that information (such as statistics and survey results that do not identify you individually).

ACCESS TO, CHANGING OR DELETING YOUR INFORMATION

Any user may communicate with Epex to inquire about Epex’s practices set forth in this Privacy Policy.

Personal Information provided as a Customer User will only be retained for as long as required for the purposes that it was collected for, after which it will be expunged, overwritten and/or permanently deleted from Epex’s servers in accordance with Epex’s industry-standard data retention policies and procedures.

We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Epex will respond to requests for access to your Personal Information that we hold within 30 days.

TESTIMONIALS

We may post Customer testimonials on the Epex Site which may contain Personal Information. We will obtain your consent, usually via email, prior to posting the testimonial to post your name along with the testimonial. If you have previously provided consent, but later want your testimonial removed, please contact us through [Contact Us](#).

INFORMATION SECURITY

Epex takes industry-standard precautions to protect Personal Information. When you enter sensitive information (such as a login credentials) on our login forms, we encrypt the transmission of that information using transport layer security protocol (TLS)].

While the safeguards implemented by Epex may help prevent or slow unauthorized access, maintain data accuracy, and facilitate the appropriate use of data, no guarantee is or can be made that your information is secure from intrusions and/or unauthorised access by third parties. If you have any questions about the security of the Epex Site or the Epex Platform, you can contact us through [Contact Us](#).

COMPLIANCE WITH LAWS AND LAW ENFORCEMENT

Epex cooperates with government and law enforcement officials and private parties to assist with enforcement and compliance with the law. Epex may disclose any information about you to government or law enforcement officials or private parties as Epex, in its sole discretion, believes necessary or appropriate to respond to claims and legal processes (including but not limited to legal proceedings and subpoenas), to protect the property and rights of Epex or a third party, to protect

the safety of the public or any person, or to prevent or stop any activity Epex may consider to be, or to pose a risk of being, illegal, unethical, inappropriate or legally actionable.

BUSINESS TRANSFERS

Epex may sell, transfer or otherwise share some or all of its assets, including your Personal Information, in connection with a merger, acquisition, reorganisation or sale of assets or in the event of insolvency. You will be notified via email and/or a prominent notice on the Epex Site of any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information.

CHANGES TO THIS POLICY

Epex may revise this Privacy Policy from time to time. The most current version of the policy will govern Epex's use of Personal Information and will always be on the Epex Site. If Epex makes any material change to this policy, Epex will at its discretion either notify you by email (sent to the email address specified in your registration if a Customer) or by means of a notice on the Epex Site prior to the change becoming effective. We encourage you to periodically review the Epex Site for the latest information on our privacy practices. By continuing to access or use the Epex Site or the Epex Platform after those changes become effective, you agree to be bound by the revised Privacy Policy.

CONTACTING US

If you have any questions about our Privacy Policy, please contact us through [Contact Us](#) .