



## **Emplify Privacy Policy**

This policy was last updated and released in July 2025.

This privacy policy (Policy) applies to Breinchild Limited (We, Us, and Our) and associated entities we control. This Policy applies to anyone that visits our website (Site) or registers to use our Solutions. Registered Users should read this Policy in conjunction with the agreement under which you engaged us to provide services to you or our general terms and conditions (Terms). If there are any inconsistencies between the Terms and this Policy, the Terms take precedence over this Policy.

We are committed to protecting your privacy and handling your personal information in an open and transparent way, following our obligations under the Privacy Act 2020. This Policy sets out how we collect, handle, store, and protect the personal information of our Customers and users of our Site in the course of conducting our business.

This Policy states how we may collect, store, use, and disclose any personal information that you provide to us during our engagement with you. Your consent to us collecting, storing, using, and disclosing your personal information in the manner set out below is inferred from you continuing to interact with us.

In addition to this Policy, we also have an internal privacy policy, and where appropriate include terms in our agreements with Customers that detail the way we will use their personal information while delivering professional services.

### **Disclaimer**

The information provided in this Policy is to provide general information only.

We will not be held liable for any loss or damage including, without limitation, indirect or consequential loss or damage, or any loss or damage whatsoever arising from loss of data or profits arising out of, or in connection with, the use of our Site or your interaction with us.

We do not have control of the nature, content, and availability of any of the websites you may be directed to or presented with a link to during your engagement with us which are not under our control. Our inclusion of such links does not automatically imply a recommendation or endorsement on our behalf of the views expressed within the link(s).

While we endeavour to ensure our Site is current and running smoothly, we take no responsibility for, and will not be held liable for, our Site being temporarily unavailable due to technical issues beyond our control.

### **Collection**

We will only collect your personal information, such as (but not limited to) your name, date of birth, gender, email address, phone number and postal address, when it is necessary to do so. The type of information we may collect is dependent on the relationship you hold with us. You may decide that you do not want to provide us with your personal information. In this instance, please be aware this may mean that we are unable to provide you with access to particular information or services.



Information may also be collected for the purpose of fulfilling administrative functions associated with the services provided by us, for example, billing, entering into contracts with you and/or third parties, and managing Customer relationships.

### **Automated Collection**

Whenever you choose to interact with us, we may use automatic technology (such as monitoring software, cookies, and sessions) to collect and store certain information and improve your experience when using our Site. Please see our Cookie Policy below for more information.

### **Data Processing**

As part of any contract, we hold with you, we may process your personal information if it is required to carry out that contract, or you required us to do so.

### **Use and Disclosure**

How we use and disclose your personal information is dependent on what services we are providing to you, or the purposes of our interaction with you.

We will never use or disclose your personal information except in accordance with the Privacy Act 2020, or as otherwise required by law. We may use your personal information to (but not limited to):

- (a) Communicate with you;
- (b) Engage you as a Customer;
- (c) Provide you with our services;
- (d) Follow any instructions you have given us;
- (e) Administer your account;
- (f) Analyse your use of our site and interaction with our services;
- (g) Carry out marketing and promotional activities;
- (h) Conduct internal research, development, and the optimisation of our services;
- (i) Disclose further information, new marketing and promotional material to you; and
- (j) Improve our Site and customise your experience to your preferences.

### **Data Retention**

Any personal information we collect will only be retained for as long as it is required for the purposes of what the information was collected for.

### **Storage and Security**

We hold any personal information that has been collected. We will take all reasonable efforts to protect any personal information we hold about you from loss, misuse, unauthorised access, disclosure, alteration, or destruction. While we promise to take reasonable measures, we cannot absolutely exclude the possibility that our security may be compromised by unauthorised access, hacking, computer viruses, malware, spyware etc.

### **Data Breach**

We endeavour to notify you as soon as possible if we become aware of a personal data breach related to our retention and processing of personal data.



We also have an obligation to inform the Privacy Commissioner of any data breaches that are likely to or have caused serious harm to an individual.

### **Third Party Websites**

Our Site may include links to third-party websites. Please note that we are not responsible for the content of any third-party websites, or for the manner in which those websites may collect, hold, use, or distribute any personal information you provide to them. In the instances that you visit a third-party website from hyperlinks included on our Site, we recommend and encourage you to review the privacy policy of that specific website to understand how that website will collect, hold, use, and distribute your personal information.

### **Your Privacy Rights**

You have the right under the Privacy Act to request access to, or correction of, any personal information we hold relating to you at any time. You can do so by contacting us.

To ensure any personal information we hold about you is accurate and current, please inform us if there are any changes to your personal information as soon as practicable.

### **Changes to this Privacy Policy**

We reserve the right to update or revise this Policy at any time, at our discretion. We will endeavour to let you know if this Policy changes. Any changes to the Policy will take effect immediately following their publication on our Site. Please review this Policy regularly in case of modifications and updates. Your continued use of our Site and further disclosure of any personal information indicates your acceptance of any changes.

Feel free to contact us at any time if you have questions or concerns about this Policy or about the way your personal information is being dealt with that you would like to bring to our attention.

### **Cookie Policy**

Cookies are created when someone uses a website that contains user preferences for that site. It is a small file from a web server which is stored in a user's web browser while they are browsing a website. When a user goes to visit that same website in future, the cookie data can be used by the site to inform it on the user's past activity and preferences.

A user can use or refuse the use of cookies by controlling the settings of their web browser. Please note that if you accept the cookies on our Site, we will not access your computer or any information that is stored on your device. Alternatively, if you decide to not accept cookies, you may experience some loss in functionality on our Site because of the rejection.

### **NZ Laws Apply**

This Policy is subject to and interpreted in accordance with the laws of New Zealand and is subject to the exclusive jurisdiction of the Courts of New Zealand.

### **Complaints**

If you are unhappy, you can make a complaint about privacy to our nominated Privacy Officer at the address specified below.



The Privacy Officer will consider any complaints received to decide whether there are any steps that can be immediately undertaken to resolve the complaint. We will try to respond to any complaints placed within five (5) working days.

If an in-depth investigation is needed for a complaint, we will acknowledge receiving the complaint within five (5) working days and will take all reasonable measures to resolve the complaint as swiftly as possible. We may need further information from you regarding the complaint and the outcomes you are seeking. We will then work through gathering any relevant information, locate, and review relevant documents and speak to any individuals involved in the matter.

In most instances, we will carry out an investigation and respond to a complaint within 30 working days of receiving it. In the circumstance that the investigation is expected to take longer than this time frame, we will inform you as soon as practicable.

Having received a response from us regarding the complaint, if you are still unsatisfied or believe we may have breached our obligations under the Privacy Act, you may place a complaint to the Office of the Privacy Commissioner.

### **Contact Us**

If you have any further questions or concerns please email us at the address below.

[hello@breinchild.com](mailto:hello@breinchild.com)