

Privacy Notice

Feijoa Kiwi Limited

Last Updated: 22 April 2025

1. Introduction

Welcome to Feijoa Kiwi Limited (**Feijoa, we, us, our**). We provide micro-investing round-up and other services to New Zealanders through our mobile application Feijoa (collectively, the **Services**).

We are committed to protecting your personal information and respecting your privacy. This Privacy Policy outlines how we collect, use, disclose, store, and protect your personal information in compliance with the New Zealand Privacy Act 2020 (**Privacy Act**) and our obligations when using our partner services like Akahu.

By accessing or using our Services, you acknowledge that you have read, understood, and agree this Privacy Policy. If you do not agree, please do not use our Services.

Our designated Privacy Officer can be contacted at **privacy@feijoa.kiwi**.

2. Scope of this Policy

This policy applies to all personal information collected by us from users of our Services in New Zealand.

3. Information We Collect

We collect information necessary to provide you with our Services, comply with legal obligations (such as Anti-Money Laundering and Countering Financing of Terrorism Act 2009 - **AML/CFT Act**), and improve your user experience. The types of personal information we may collect include:

- **Identity Information:** Full name, email address, IRD number for identity verification services and to allow us to provide the Services. In some instances, we may also request and collect from you your phone number, date of birth, residential address, copies of identification documents (e.g., driver's licence, passport) to provide enhanced Services to you.
- **Financial Information:**
 - Information about your bank accounts (account numbers, institution names) that you choose to link to our Services, primarily accessed with your explicit consent via Akahu.
 - Transaction data from your linked accounts (used for purposes like calculating round-ups or analysing spending patterns, as permitted by you).

- Information about investments made through our Services (e.g., KiwiSaver contributions or other investment fund contributions) and, if authorised by you, portfolio balances, contributions, withdrawals, investment choices primarily accessed with your explicit consent via Akahu.
- Information related to your financial situation or risk tolerance that you provide.
- **Technical Information:** IP address, device ID, device type, operating system, browser type, usage data within our App/Website (e.g., pages visited, features used, time spent), cookies and similar tracking technologies.
- **Communications:** Records of your communications with us (e.g., emails, chat logs, customer support queries).
- **Other Information:** Any other information you voluntarily provide to us or consent to provide us via Akahu.

4. How We Collect Your Information

We collect personal information in the following ways:

- **Directly from You:** When you register for an account, complete your profile, link bank accounts, make investments, fill out forms, or contact us.
- **Through Your Use of Our Services:** We automatically collect technical and usage data when you interact with our App or Website and collect financial information in order to provide the Services you request from us to enable our provision of the Services.
- **Via Akahu (With Your Consent):** When you choose to link your bank accounts to our Services, you will be redirected to Akahu's secure service. You provide explicit consent directly to Akahu to allow them to access your nominated bank account information on your behalf and share specific data points (like account details and transaction history) with us. We only receive the data necessary to provide the agreed-upon features of our Service (e.g., round-ups, spending insights, linked accounts).
- **From Third Parties:** We may collect information from third parties in certain circumstances to enable us to provide the Services to you, or otherwise meet our obligations under the Law, these may include:
 - Identity verification services (as part of our AML/CFT obligations).
 - Publicly available sources.
 - Analytics and advertising partners (typically aggregated or anonymised data).

5. How We Use Your Information

We use your personal information for the following purposes:

- **To Provide and Manage Services:** To set up and manage your account, process your investment instructions (e.g. contributions, withdrawals), calculate round-ups,

display your portfolio information, and perform the necessary functions of the Services.

- **To Communicate With You:** To send service-related notifications, respond to your enquiries, provide customer support, and send marketing communications (where you have consented or where permitted by law – you can opt-out of marketing notifications anytime).
- **To Improve Our Services:** To analyse usage patterns, conduct research, troubleshoot issues, and enhance the functionality and user experience of our App and Website including developing new services and products.
- **Personalisation:** To tailor content or features within the Services based on your preferences or activity (where applicable).
- **Legal and Regulatory Compliance:** To meet our obligations to regulators (like the FMA), tax authorities (IRD), law enforcement agencies, or as otherwise required or permitted by law and to comply with our legal obligations under the AML/CFT Act and other applicable laws.
- **Security:** To protect the security and integrity of our Services, prevent fraud, and enforce our Terms of Service.
- **Research and Analysis:** To conduct research and analysis of aggregated and anonymised transaction data to understand spending patterns, habits, and trends, and to improve our Services or provide insights to our partners.

6. Disclosure of Your Information

We may share your personal information with third parties only where necessary and in accordance with the Privacy Act. These parties may include:

- **Service Providers:** We engage third-party companies to perform functions on our behalf, such as:
 - KiwiSaver providers holding and executing investments.
 - IRD.
 - Cloud hosting providers (e.g., AWS, Google Cloud, Azure).
 - Data analytics providers.
 - Payment processors.
 - Customer support platform providers.
 - Marketing and communications platforms.

We ensure these providers are subject to contractual or other legal obligations to protect your personal information and only use it for the specific purposes we authorise.

- **Akahu:** When you use Akahu to link your accounts, your information is shared between your bank, Akahu, and us as necessary to facilitate the connection and data transfer you consented to. Akahu handles your information according to its own privacy policy and terms available <https://www.akahu.nz/privacy-notice>.
- **Partners:** We may provide your information to our partners that engage us to perform Services for them, we may provide them with your personal information if

you have explicitly authorised us to provide your personal information to them, we will ensure we collect your consent for each such provision to a partner as part of a value add service to you, or we may provide your personal information in aggregated and anonymised form, such that you will not be readily identified, as a condition of using our Services.

- **Regulators and Law Enforcement:** We may disclose your information to government agencies, regulators (e.g., FMA, IRD), courts, or law enforcement if required by law, regulation, legal process, or governmental request, or to protect our rights, property, or safety, or that of our users or the public.
- **Professional Advisors:** Our lawyers, accountants, auditors, and insurers, where necessary in the course of the professional services they provide to us.
- **Business Transfers:** In connection with a merger, acquisition, sale of assets, or other business restructuring, your information may be transferred to the acquiring entity, subject to confidentiality agreements.
- **With Your Consent:** We may share your information with other third parties if you have given us your explicit consent to do so.

We do not otherwise sell your personal information to third parties.

7. Use of Akahu

To enable features like automated round-ups or spending analysis, we partner with Akahu, a secure third-party service provider that facilitates access to your bank account information.

- **Your Consent is Key:** Linking your bank accounts via Akahu requires your explicit consent, granted directly through Akahu's interface. You control which accounts are linked and can revoke this access at any time via our App/Website or directly through Akahu or your bank (where applicable). You may revoke your consent to Akahu at any time via the Feijoa App, directly through Akahu at <https://my.akahu.nz>, or via your bank. If you revoke access, we will no longer be able to access your financial data, and the functionality of the Feijoa Services may be affected.
- **Data Accessed:** When you consent, Akahu accesses specified data (e.g., account balances, transaction history) from your bank on your behalf and securely transmits the necessary information to us. We only request and use the data required for the specific features you enable.
- **Akahu's Role and Policies:** Akahu acts as an intermediary under your instruction. Your interaction with Akahu and their handling of your data (including credentials you might provide to them) are governed by **Akahu's Privacy Notice** (<https://www.akahu.nz/privacy-notice>) and **Akahu's End User Terms and Conditions** (<https://www.akahu.nz/end-user-terms>). We strongly encourage you to review these documents. Feijoa never accesses or stores your online banking credentials — these are managed securely and solely by Akahu.
- **Our Responsibility:** We handle the data we receive from Akahu, including your personal information, in accordance with *this* Privacy Policy.

8. Cookies and Tracking Technologies

We use cookies and similar technologies (e.g., pixels, web beacons) on our Website and App to:

- Ensure proper functioning of the Services.
- Remember your preferences and settings.
- Analyse usage and performance.
- Deliver relevant marketing (where applicable).

You can usually control cookies through your browser or device settings. However, disabling certain essential cookies may affect the functionality of our Services.

9. Data Security

We take reasonable technical and organisational measures to protect your personal information from unauthorised access, use, disclosure, alteration, or destruction. These measures include:

- Encryption of data in transit and at rest (where appropriate).
- Strict access controls and authentication procedures.
- Regular security assessments and updates, including third party security reviews.
- Staff training on data privacy and security.

While we strive to protect your information, please note that no method of transmission over the internet or electronic storage is 100% secure. We cannot guarantee absolute security. If we become aware of a breach involving your data, we will notify you as soon as reasonably practicable and take appropriate remediation steps. If we become aware of a breach involving your Akahu linked data, we will notify both you and Akahu as soon as reasonably practicable and take appropriate remediation steps.

10. Data Retention

We retain your personal information only for as long as necessary to fulfil the purposes outlined in this policy, including providing you with our Services, complying with our legal and regulatory obligations (e.g., AML/CFT record-keeping requirements), resolving disputes, and enforcing our agreements. Once information is no longer needed, we will securely delete or anonymise it. If you revoke your consent for Feijoa to access your data via Akahu, we will cease collecting new data and will delete any existing Akahu-derived data unless retention is required under applicable law (e.g. AML/CFT). If Akahu or you instruct us to restrict or delete your data, we will act promptly and provide confirmation of compliance unless regulatory requirements prevent immediate deletion.

11. International Data Transfers

Some of our third-party service providers (e.g., cloud hosting) may be located outside New Zealand. Where we transfer your personal information overseas, we will take reasonable steps to ensure that it is protected to a standard comparable to that provided under the New Zealand Privacy Act, for example, through contractual clauses or by ensuring the recipient is located in a country deemed to have adequate privacy laws.

12. Your Rights (Access and Correction)

Under the New Zealand Privacy Act 2020, you have rights regarding your personal information:

- **Right to Access:** You have the right to request access to the personal information we hold about you.
- **Right to Correction:** You have the right to request correction of any personal information we hold about you that you believe is inaccurate, incomplete, or out of date.

To exercise these rights, please contact our Privacy Officer using the details provided in Section 1. We will respond to your request within a reasonable timeframe as required by the Privacy Act. We may need to verify your identity before processing your request. In some circumstances permitted by law, we may decline a request (e.g., if providing access would prejudice law enforcement investigations or reveal commercially sensitive information). If we decline, we will explain why.

You also have the right to lodge a complaint with the Office of the New Zealand Privacy Commissioner (www.privacy.org.nz) if you believe we have breached our obligations under the Privacy Act.

13. Changes to this Privacy Policy

We may update this Privacy Policy from time to time to reflect changes in our practices, legal requirements, or service offerings. We will notify you of any significant changes by posting the updated policy on our Website and/or App, and updating the "Last Updated" date. We encourage you to review this policy periodically. Your continued use of our Services after an update constitutes your acceptance of the revised policy.

14. Contact Us

If you have any questions, concerns, or complaints about this Privacy Policy or our handling of your personal information, or if you wish to exercise your privacy rights, please contact our Privacy Officer:

Privacy Officer Feijoa Kiwi Limited, privacy@feijoa.kiwi