

MERCURY NZ LIMITED PRIVACY POLICY.

Effective 1 August 2023

1 INTRODUCTION.

- 1.1 Mercury provides energy and telecommunication services to make your life easier, so you can focus on the things that matter most. This requires your trust in us. For us, being clear about how we handle your personal information is important. This Privacy Policy sets out:
- how Mercury may collect, use, store, share and disclose, your personal information and why; and
 - how you can exercise your privacy rights.
- 1.2 We use the following definitions in this policy:
"Mercury" which means Mercury NZ Limited.
"We", "Us" and "Our" are also references to Mercury.
"Privacy Act" means the New Zealand Privacy Act 2020.

2 CHANGES TO THIS POLICY.

- 2.1 This policy may change from time to time. We'll tell you about any changes by posting an updated policy on our website, and any changes will apply from the date we post the updated policy. If the change is material, then we'll let you know via an appropriate channel (for example, via email, a post to our website, an in-app notification, by phone, text, or bill message).

3 WHAT PERSONAL INFORMATION DO WE COLLECT?

As part of signing up as a customer or changing the services that you have with us:

- your name, contact information (contact phone numbers, email address and physical address) and date of birth;
- information about the property where you intend to receive our services (including whether you are moving to the property, whether you are owning or renting the property, whether the premises is your primary residence, whether there are potential barriers or risks to accessing the property such as dogs);
- the type of service(s) required (e.g., electricity, piped gas, broadband, mobile);
- device and product preferences (e.g., routers and appliances);
- expected usage information (e.g., standard, or low energy usage);
- identification information such as NZ Driver's Licence or passport details for credit checking purposes;
- information to confirm whether you or a member of your household qualify for medically dependent and/or vulnerable customer status;
- payment method preferences; and
- what you tell us when you engage with us.

As part of using our products and services:

- information about your usage (e.g., how much you use) and how you use our services (e.g., electric vehicle plans, solar plans, unlimited data plans).

When you contact us via email, chatbot, webform or post:

- we'll typically collect contact information provided to us, the contents of your query, and any additional information that you provide to us.

When you contact us via telephone:

- we collect your contact information, and the contents of the conversation, which may be recorded for training and quality assurance purposes.

When you visit, search for, and browse our websites (including My Account) and use our App:

- we collect the internet protocol (IP) address used to connect your computer or device to the internet, your account login information, data on your screen and device settings, such as the point and scroll settings of your mouse, web browser type and version, time zone settings, and operating system information.
- we also collect generic information about your use or visit, including statistical information about visits to pages on the site, what you looked at or searched for while on our site, page response times, how you navigated the site, and how you reached our site in the first place (e.g. via a Google search). This information on its own does not identify an individual but it does provide us with statistics that can be used to analyse and improve our website.
- For Android Users, the App's use and transfer of information received from Google APIs to any other app will adhere to [Google API Services User Data Policy](#), including the Limited Use requirements.

When you respond to our surveys or enter into our competitions or challenges:

- we typically collect your name, contact information, account number, contact preferences, responses/entries (e.g., photographs, opinions) and evidence of your participation, including acceptance and completion times, and what you did (e.g., the number of steps you've taken in an app challenge).

When you visit our premises:

- we may collect Close-Circuit Television (CCTV) footage. If you're visiting our premises for the purpose of a meeting, we'll collect your full name, contact number, details of who you are visiting, and the date and duration of your visit. If you are parking on site, we may also collect your vehicle registration number.

Collection from third parties:

We aim to collect information directly from you, but we may need to collect it or verify it in different ways, including:

- from your previous service providers (energy and telecommunications), electricity lines company, gas network operators, and/or metering provider;
- from your general practitioner, a District Health Board, the Ministry of Social Development (including Work and Income NZ) or Family and Community Services, or from any other source trusted by us in order for us to confirm whether you (or any member of your household) are a vulnerable or medically dependent consumer;
- from other reputable third parties such as credit reporting agencies, Utilities Disputes Limited (UDL) and the Telecommunications Dispute Resolution (TDR); and
- data collected from mobile applications, and other websites on which we may, from time to time, interact with you (such as social media).

You agree that any information you give Mercury will be accurate, correct and up to date. If any information becomes incorrect or changes, you need to let us know as soon as possible.

If you provide us with personal information about another person, you confirm you have their permission to provide it to us.

If you don't provide us with the information we need, we may not be able to provide you with information or access to our services as a result.

4 USE OF COOKIES.

- 4.1 Mercury's website uses both non-persistent and persistent cookies to manage your visit to our site. Non-persistent cookies are temporary and are deleted when a browser session is closed. Persistent cookies are used so that third parties, such as Google, can serve ads based on your prior visits to the Mercury website.
- 4.2 Other than as set out above, information about a visit to Mercury's website is not permanently stored on a visitor or customer's personal computer.
- 4.3 While Mercury recommends that you enable cookies in order to enjoy all the features of Mercury's website, this is entirely up to you. The management of cookies will be different depending on how you access our website - refer to your browser help menu for further information.

5 WHAT PERSONAL INFORMATION DO OTHERS COLLECT?

- 5.1 Mercury uses Google Analytics, which issues cookies and is able to track visitors throughout Mercury's website, app, and through any other sites that use those services. Mercury does not control how those cookies are issued, or the data that they store. Please refer to the **Google Analytics Privacy Policy** for more information.
- 5.2 If you use our services (e.g., browsing our website) while you are logged into third-party services (such as Facebook, Google+, Instagram, and YouTube), then they will collect information about you. We recommend you read their privacy policies to understand how those sites handle your personal information.
- 5.3 Mercury's website and app has links to other websites. This Privacy Policy doesn't cover them, and we recommend you read the privacy policy for those sites to understand how those sites handle your personal information.

6 WHY DO WE COLLECT YOUR PERSONAL INFORMATION?

- 6.1 We collect and use your personal information for a variety of purposes including:
 - signing up, operating, and administering your account;
 - confirming and verifying your identity, as well as the identity of those authorised on your account;
 - providing credit information (as defined in the Credit Reporting Privacy Code 2020) about you to credit reporting agencies, so that we can participate in their credit monitoring service and receive updates on the information they hold about you or on any matters which may impact our ongoing relationship with you;
 - supplying you with electricity, gas, and telecommunication products and services, including billing, meter reading, technical support, rewards, and app experiences;
 - for our general business purposes, such as providing customer and complaint resolution services, training staff, and improving or personalising the products and services we provide to you;
 - contacting you about products, services, surveys, competitions, offers and promotions (where we have your permission to do so);
 - conducting market research and data analysis to obtain your views on products and services offered by us and to identify particular products and services that may be of interest to you;
 - undertaking research to understand our customers, and making improvements to our products, services, purchasing and customer support processes;
 - measuring or understanding the effectiveness of advertising we serve to you and others, and delivering relevant advertising to you;
 - administering surveys, competitions, offers and promotions that you have entered;
 - providing you with information about other goods and services that we, your electricity lines company, your gas network operator, your local fibre company, our broadband network provider, our partners and sponsors, or other persons may from time to time wish to offer you (unless you instruct us otherwise);
 - verifying whether you, or a member of your household, qualify for vulnerable or medically dependent consumer status, and to assist us in carrying out our responsibilities under the Consumer Care Guidelines and the New Zealand Commerce Commission "Commission 111 Contact Code";
 - administering our websites for internal operations, including troubleshooting, data analysis, testing, research, security, statistical and survey purposes;
 - maintaining and developing our business systems, processes, and infrastructure, including testing, and upgrading of these systems, product or service development, research, and quality control;
 - keeping staff, visitors, and our assets safe while on our premises;
 - debt collection and fraud detection;
 - security monitoring of our communications, including our website, app, and My Account;

- monitoring (or enabling telecommunication network service providers to monitor) your usage of telecommunications services, including content made available to you via mobile services, for the purpose of maintaining the integrity of the network and services provided;
- managing and resolving any legal or commercial complaints and/or issues; and
- carrying out any activity in connection with a legal, governmental, regulatory requirement, or in connection with legal proceedings, crime or fraud prevention, detection, or prosecution.

7 WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?

7.1 Where we engage third parties to undertake services for us or on our behalf, we may provide those third parties with some of your personal information but only to the extent required to fulfil those services. Examples include (but are not limited to):

- service providers such as metering service providers, lines companies, local fibre companies, web hosting providers, IT systems administrators, software providers, mailing houses, couriers, payment processors, electronic network administrators, debt collectors, and professional advisers such as accountants, solicitors, business advisors, auditors, and consultants;
- credit reference agencies who may share your information with other organisations and who may keep a record of the searches made against your name;
- suppliers, business partners or joint venture entities or partners who we engage or partner with to perform certain services or functions on our behalf;
- sponsors, or promoters of any competition that you have entered into that we conduct or promote;
- specific third parties authorised by you to receive or otherwise have access to information held by us, including authorised contacts and alternate persons;
- to persons who wish to pass on rebates or discounts to you, or you are a beneficiary of that person, and they wish to communicate with you, or it is required to maintain trust or cooperative electoral rolls;
- to adjudicators and third-party dispute resolution providers, such as Utilities Disputes and the Telecommunications Dispute Resolution (TDR) to assist them in resolving a complaint that you make about us;
- law enforcement, regulatory bodies, legal advisors, or similar third parties where we are under a legal duty to disclose or share personal information in order to comply with a legal obligation;
- the prospective seller or buyer in the event that we buy, sell, reorganise, merge or dissolve businesses or assets; and
- selected third parties (including legal advisors), as may be required to enforce, or apply our website terms and conditions and other agreements and/or protect our rights, property, or safety of our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

7.2 We may also disclose your personal information:

- to manufacturers or suppliers of products or services for product warranty or guarantee fulfilment purposes;
- to facilitate repair of a product or where the manufacturer or supplier has advised that they need to contact you for any issues related to the quality or safety of the product or service you have purchased; and
- to telecommunication and wholesale network service providers to the extent necessary to enable the relevant network service provider to provide services to us that enable us to supply you with the services, including to enable such network service providers to communicate with you in connection with the services. Network service providers will hold, use and disclose such information in accordance with their privacy policy. Mobile telecommunications services are delivered by the Spark Mobile Network.

7.3 If you make public comments or statements about the products or services we provide you, or the relationship we have with you, we reserve the right to make such public comments as may be necessary to respond or correct any misconceptions or errors of fact. If you make any public comments about your account, then you agree to us replying as we think appropriate using the information that we have about your account.

8 DISCLOSURE OF PERSONAL INFORMATION OUTSIDE OF NEW ZEALAND.

- 8.1 If we disclose personal information to a third party outside of New Zealand for any of the purposes listed above, and that third party uses the personal information for their own purposes, we will ensure that the third party is subject to privacy laws that are comparable to the Privacy Act or that the third party is otherwise required to protect the personal information in a way that provides comparable safeguards to those in the Privacy Act.

9 HOW WE PROTECT YOUR PERSONAL INFORMATION.

- 9.1 We take reasonable steps to protect the personal information that we hold from misuse, loss, or unauthorised access or modification.
- 9.2 Mercury will ensure that your personal information is protected when logging onto our website, app, or when using My Account but while we take steps to ensure your privacy, no transmission over the internet can be completely secure.
- 9.3 If you suspect any misuse or loss of, or unauthorised access to, your personal information (including passwords used to access your Mercury accounts), please let us know immediately.

10 RETENTION OF PERSONAL INFORMATION.

- 10.1 We retain your personal information only for as long as we need it and destroy the information we no longer need in a secure manner.

11 ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION.

- 11.1 You may request access to any personal information we hold about you at any time by contacting us at privacy@mercury.co.nz. Your request will be processed in accordance with the Privacy Act.
- 11.2 If you make an access request, we'll ask you to verify your identity. There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy of others. If that happens, we will give you written reasons for any refusal.
- 11.3 We may charge a reasonable fee for making your personal information available to you or providing you with copies of it.
- 11.4 If you believe that personal information, we hold about you is incorrect, incomplete, or inaccurate, then you may ask us to amend it. We will then consider if the information requires amendment.

12 COMPLAINTS.

- 12.1 If you have a privacy related complaint, you can let us know about it through our **complaints process**, or via post:
- Mercury
Private Bag 12023
Tauranga Mail Centre
Tauranga 3143
Attn: Privacy Officer
- 12.2 If you believe that your privacy concerns have not been resolved by us, or you wish to obtain more information, you can contact the New Zealand Office of the Privacy Commissioner via their website www.privacy.org.nz or free phone at 0800 803 909. Further information about how to submit a complaint is available on the **Privacy Commissioner's website**.

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