

Privacy Policy

Information we collect and hold

SMK NZ Ltd (Business Number/9429045892400) Trading as SMK Rotorua
Operating in New Zealand with NZ Dollars as a New Zealand Operated Business
Head office
40 Tuwharetoa Street and 25b Stanley Street
Taupo, 3330
New Zealand
(021) 132 1475
rick@smk.co.nz

With our Outlet operating from
Trade Central
Unit 11
1550 Amohau Street
Rotorua
(021) 1321475
rotorua@smk.co.nz

and/or any of its franchisees, affiliates, subsidiaries or related bodies corporate (“SMK NZ Ltd or we, us, or our”) collects personal information about you in a number of ways, including; via our websites, social media pages; via our mobile applications (app); and when you interact with us and provide personal information by any other means including either physically or electronically (“Collection Channels”). Personal information that SMK NZ Ltd collects and holds may include your name, email address, delivery address, date of birth, phone number, payment method, social media handles, photographs of you and other identifying information you choose to provide via a particular Collection Channel. When you use a our app, we may also collect personal information about you in the following general categories:

- Location information: If you permit an app to access location services through the permission system in your mobile device, we may collect the precise location of your device when the app is running in the foreground or background in order to deliver your order or to send you alerts such as the location of your nearest location
- Transaction information: We collect your transaction details when you make a payment via our app, including the products you have purchased, the date and time of your order and the amount charged.
- Usage and preferences: We collect information about how you interact with our app including your preferences and settings that you choose. We may do this through the use of cookies and other similar technologies that uniquely identify you.
- Device information: We may collect information about your mobile device such as the hardware model, operating system, preferred language, unique device identifier and mobile network.
- Other information: We may also collect and log information such as your IP address, access dates and times, browser type and pages visited when you interact with a Website or our app.

In addition to the information listed above, in some cases we may collect personal information about you from third parties, including:

- When you choose to create an account or register for our app using a social media platform such as Facebook or Google;

- When a third party has your consent to disclose your personal information to us, such as when you enter a competition or promotion administered by a third party on our behalf; and
- When it is otherwise lawful for a third party to disclose your personal information to us.

We may also collect personal or anonymous information about you from other sources and may combine that information with other information collected from you or from third parties for the purposes disclosed in this Privacy Policy.

How We collect and holds personal information

SMK NZ Ltd will not collect or monitor any personal information about you without your consent including as provided in this privacy policy.

Active information collection

SMK NZ Ltd may collect your personal information via our Collection Channels when you:

- a) Make a purchase using our app;
- b) participate in any offers, marketing activities and/or promotional activities;
- c) contact us or provide us with personal information directly via any medium including a Website, our app, SMS (Short Message Service), MMS (Multimedia Message Service), IM (Instant Messaging) and email (“Electronic Messages”), social media platforms, mail, telephone and in person;
- d) interact with our app for a specific purpose;
- e) browse our app generally;
- f) sign-up to, or register an account via, any Collection Channel; or

Platform permissions

Mobile platforms such as iOS and Android generally define certain types of information or data that applications cannot access without your consent. Each platform has its own permissions system for obtaining your consent. For example, the iOS platform generally alerts you the first time SMK NZ Ltd app wants permission to access certain types of data, such as location services, and will let you choose whether or not to consent to that request. Android devices will generally notify you of the permissions that an app seeks before you first use the app. Your use of the app constitutes your consent. You can generally manage your platform level permissions via the Settings section on your device. For more information, please contact your device provider or refer to the user manual for your device.

Privacy Policy

The SMK NZ Ltd Privacy Policy contains information about how you can access and correct your personal information, how you can lodge a complaint regarding the handling of your personal information and how any complaint will be handled by SMK NZ Ltd. You may contact SMK NZ Ltd via:

- Website: www.smk.co.nz
- Telephone: (021) 1321475
- Email: support@smk.co.nz

Cookies and passive information collection

As you navigate and access our app, certain information can be passively collected (that is, gathered without you actively providing the information) using various technologies, such as

cookies, Internet tags or web beacons, and navigational data collection (log files, server logs, and clickstream data). For example, we may collect information about matters including but not limited to the date, time and duration of visits when using our Application are most commonly accessed. This information is generally not linked to the identity of visitors, except the app accessed via personalised links in an Electronic Message we have sent or where we are able to uniquely identify the device or user accessing our app.

We may combine your anonymous or personal visitor session information or other information collected through tracking technologies with other personal information collected from you from time to time via our Collection Channels, in order to understand and measure your online experiences and to determine what products, promotions and services are likely to be of interest to you. By accessing our app via links in an email we have sent and/or by accessing our app where you have identified yourself, you consent to the collection of such information where it is personal information.

Purposes for which We collect, hold, use and disclose personal information

Personal information collected may be used for a number of purposes connected with our business operations, which include the following primary purposes:

- For the purposes stated on a particular Collection Channel.
- To maintain and improve the functionality of our app to provide better service to our app users, including the compilation and analysis of statistics and trends, the provision of information to you relating to the content available on that app and any transactions conducted via that app
- To fulfil obligations in respect of any sale and purchase contract and/or any other contract between you and SMK NZ Ltd.
- To manage your purchases and facilitate payment.
- To send you any technical, administrative or legal notices important to our app
- To provide you with information about your transactions (including uploading of, access to, and receipt of, content on our app and purchases undertaken on our app), content, services and products.
- To provide marketing materials and information about our products and services, events, special offers, competitions and promotions via any medium including mail, telephone and, where you have opted in, Electronic Messages or any other form of electronic, emerging, digital or conventional communications channel, or to request your feedback for promotional purposes.
- To maintain our relationship with you.
- To respond to customer enquiries or complaints.
- To obtain opinions or comments about products and/or services and to conduct other market research and development (including to record statistical data for marketing analysis).
- To enter you into and administer promotions.
- To provide, maintain and improve our products and services.
- To customise our app based on your preferences.
- To allow you to use and enjoy the functionality of our app.
- To share with trusted third parties including professional service providers, our related bodies corporate, our franchisees, our suppliers and our promotional partners and other trusted third parties (and their directors, servants and agents) and agencies
- To share with your social media communities, to the extent allowed by you.

Not providing information

Failure to provide personal information via our Collection Channels may result in you being unable to register for certain products or services, participate in a promotion, access elements of our app. For example, we may be unable to process a payment made with our app, set up an account for you, include you in a promotion, or provide you with upcoming promotion, event or product information and/or accept promotion entries (where applicable).

Sharing your personal information

For the purposes described above, SMK NZ Ltd may share personal information with trusted third parties including professional service providers, our related bodies corporate, our franchisees, our suppliers and our promotional partners and other trusted third parties (and their directors, servants and agents) and agencies, either in New Zealand or overseas countries.

SMK NZ Ltd uses best endeavours to ensure that any use of this information by trusted third parties including professional service providers, our related bodies corporate, our franchisees, our suppliers and our promotional partners and other trusted third parties (and their directors, servants and agents) and agencies will comply with this privacy policy.

Trusted third parties including professional service providers, our related bodies corporate, our franchisees, our suppliers and our promotional partners and other trusted third parties (and their directors, servants and agents) and agencies may be engaged by SMK NZ Ltd to perform a variety of functions, such as fulfilling orders, conducting market research, processing credit card payments, assisting with promotions, data storage and providing technical services for our our app. These companies may have access to personal information if needed to perform such functions. However, these companies may only use such personal information for the purpose of performing that function and may not use it for any other purpose.

SMK NZ Ltd recognises the trust with which you provide personal information, and except as stated in this privacy policy, such information will not be used or disclosed for any other purposes without consent. However, SMK NZ Ltd reserves the right to use or disclose any information, including personal information, as needed to satisfy any law, regulation or legal request, to protect the rights or property of SMK NZ Ltd, any member of a trusted third party, or any member of the public, to protect the integrity of our app, to fulfil your requests, or to cooperate in any law enforcement investigation or an investigation on a matter of public safety.

Contact by Us and third parties

SMK NZ Ltd, our related bodies corporate, our franchisees, our suppliers and our promotional partners and other trusted third parties (and their directors, servants and agents), either in New Zealand or overseas, may contact you via Electronic Messages, telephone, post or any other form of electronic, emerging, digital or conventional communications channel using the personal information provided, in respect of the primary purposes for collection of personal information as stated above.

SMK NZ Ltd does not send advertising or marketing information without obtaining prior consent, for example the consent contained via a particular Collection Channel within this privacy policy. If you receive any form of communication from SMK NZ Ltd and would like to opt out of receiving any more such communication, you may remove your name from the database by utilising the functional unsubscribe facility. If applicable, you may also nominate your preferred contact methods by following the instructions provided in an electronic message.

Despite removing you from the database from receiving future advertising and marketing information or, if applicable, removing you from particular communication channels as selected by

you, SMK NZ Ltd may send you non-commercial, administrative Electronic Messages which relate to an existing user account. Non-commercial, administrative Electronic Messages may include administrative and transaction confirmations, requests and inquiries or information about a particular SMK NZ Ltd app account.

If you no longer wish to receive any communications from SMK NZ Ltd via our app, you may delete the app from your mobile or other device.

Ability of others to view information

SMK NZ Ltd may provide areas in the app where you can upload user-generated content, post or provide information about yourself, communicate with other users, provide reviews for content, products and/or services or interact with or vote on particular content. This information may become publically available and may be read, collected and used by others outside of a SMK NZ Ltd or the SMK NZ Ltd app. SMK NZ Ltd is not responsible for the conduct of others who may read, collect and use this information.

Children

SMK NZ Ltd does not intend to collect personal information from any person under the age of 18 years without the consent of a parent or legal guardian. We urge parents to regularly monitor and supervise their children's online activities.

Security of personal information

SMK NZ Ltd will endeavour to take all reasonable steps to keep secure any personal information recorded, and to keep this information complete, accurate and up to date. All information is passed through to a secure server using encryption technology and stored on secure servers that are protected in controlled facilities, which in some cases may be overseas. SMK NZ Ltd employees and data processors are obliged to respect the confidentiality of any personal information held by SMK NZ Ltd. However, security of communications over the Internet cannot be guaranteed, and therefore absolute assurance that information will be secure at all times cannot be given. SMK NZ Ltd will not be held responsible for events arising from unauthorised access to personal information beyond SMK NZ Ltd reasonable control.

Disclosure of personal information to overseas recipients

In some cases, SMK NZ Ltd may disclose your personal information to overseas recipients.

Access to personal information

You are in control of any personal information you provide to us. If at any time, you would like to access, review, correct and/or delete the personal information we have about you, or if you would like to change your preferences for contacts from us, you can let us know via the contact details listed below. Please allow 30 days for this request to be processed.

If requested, all reasonable steps to delete personal information will be made, except where it is required for legal reasons. Deletion of information may result in SMK NZ Ltd being unable to facilitate or provide you with information about certain transactions, other content, services or product information, upcoming promotions, competitions or event information, and/or provide certain content, products or services.

We are not responsible for removing your personal information from the lists of any third party who has previously been provided your information in accordance with this privacy policy.

Links to other sites

Our app may, from time to time, offer links to sites that may be of interest to you but which are not operated by SMK NZ Ltd. Their inclusion cannot be taken to imply any endorsement or validation by us of the content of the third party website. Linked websites are responsible for their own privacy practices. If you visit one of these linked websites, you should review their privacy and other policies. We are not responsible, nor do we accept any liability, for the policies, practices and conduct of other companies linked to any SMK NZ Ltd Website or the SMK NZ Ltd app.

We may use third party advertisements in our app. All third party advertising, if paid for, is paid for by the relevant third party advertisers. Third party advertisements are not recommendations or endorsements by SMK NZ Ltd or any of its affiliates. To the extent permitted by law, SMK NZ Ltd is not responsible for the content (including representations) of any third party advertisements in our app. Cookies may be associated with these advertisements to enable the advertiser to track the number of anonymous users responding to the campaign.

Franchisee privacy policies

Some SMK NZ Ltd locations may be owned and operated by franchisees, who are independent businessmen and businesswomen. These location are required to follow this privacy policy. If you are concerned that there may have been a breach of this privacy policy by a franchisee, please contact the relevant franchisee entity directly.

Changes to our privacy policy

From time to time, it may be necessary for SMK NZ Ltd to change this privacy policy without notice. We may post any changes to this privacy policy on our in app.

Sale of the Company

If SMK NZ Ltd merges with, or is acquired by, another company, or sells all or a portion of its assets, your personal information may be disclosed to our advisers and any prospective purchaser's adviser, and may be among the assets transferred. However, personal information will always remain subject to this privacy policy.

Contact Us

If you have any questions about our privacy policy, or any problems or complaints about how we have collected, used, stored, handled and/or disclosed your personal information, you may contact SMK NZ Ltd via:

- Website: www.smk.co.nz
- Telephone: (021) 1321475
- Email: support@smk.co.nz