



PRIVACY POLICY

Date Created	December 2020
Last Revised	May 2021
Author	Compliance
Approved By	Chief Executive Officer

Introduction

Here you will find how we (SEEKA LIMITED and its related companies (including Seeka Australia Pty, Delicious Nutritious Food Company Limited, SeekaFresh and Verified Lab Services Limited (VLS))) collect, use and disclose your information, and how you can correct or change your Personal Information.

1. About our Privacy Policy

- 1.1. We provide various orchard, processing, logistics and marketing services, taking produce from the orchard to market (our **Services**). We collect (including from third parties or from public sources) various information from you or about you to perform our Services.
- 1.2. We also collect information from you or about you when you visit our websites, including www.seeka.co.nz, www.vls.net.nz, www.kiwicrush.co.nz our social media pages and our online newsletters (together, **Websites**), including to contact you or to otherwise market our Services to you.
- 1.3. We also collect (including from third parties or from public sources) information from you or about you when you apply for a job with us.
- 1.4. By using our Services, accessing our Websites or otherwise providing information to us or engaging with us, you agree to the use and disclosure of your information as set out in this Privacy Policy.
- 1.5. You agree and confirm that you have read and accepted our Privacy Policy. If you have not read, or if you do not accept, our Privacy Policy, you are not authorised to use our Services or to access our Websites or to otherwise deal with us.
- 1.6. We may update this Privacy Policy from time to time and we encourage you to regularly check the Privacy section on the Websites to ensure you are aware of our current Privacy Policy. You should check from time to time to see if the Privacy Policy has changed. By continuing to use the Websites and our Services, you agree to be bound by the amended Privacy Policy.

2. Collection of Information

2.1. We collect various information about you. This information includes:

- a. information that personally identifies you such as your name, address, email address and phone number (**Personal Information**), being:
 - i. personal information provided by you when engaging us to provide Services, or that we require to provide our Services; or
 - ii. personal information provided by you for any other reason, including enquiries you submit; and
- b. information that does not personally identify you (**Non-Personal Information**), being:
 - i. non-personal information provided by you when using our Websites or for any other reason, including enquiries you submit;
 - ii. information collected by us through click tracking in relation to your use of our Websites, including the content you upload and the content you access;
 - iii. aggregated data, which tracks traffic to our Websites, including your device identifier, server address, IP address, domain, the platform you are using, browsers used when accessing our Websites, search terms you use, pages accessed on our Websites, links that are clicked, and time and date of visits; and
 - iv. “cookies”, which are pieces of information transferred to your computer hard drive for record keeping (more information about “cookies” is provided further below).

2.2. By allowing us to use your information (including Personal Information), we can provide you with the relevant Services you require and market our Services to you. Failure to provide, or allow us to obtain, information (including Personal Information) may result in certain functions of our Websites or our Services not being available to you.

3. Use of Personal Information for our Services

3.1. The Personal Information we collect may be used for the following purposes:

- a. verification of your identity;
- b. to answer enquiries you submit with us and other communications;
- c. to fulfill our Services to you;
- d. to bill you for our Services and to collect money from you that is owed;
- e. to provide you information, advice and guidance as part of our Services, including that is tailored to you;
- f. to assist in providing better Services to you by tailoring them to meet your needs;
- g. to request feedback about our Services;
- h. to provide information about our offerings that we think you may be interested in;
- i. to send you information we think you may reasonably be interested in, including by way of a newsletter;
- j. to promote or market special offers related to our Services or industry in general, including products services provided by others;
- k. to administer contests or other promotions you participate in;
- l. to protect and/or enforce our legal rights and interests, including defending any claim made by you; and
- m. for any other use that you authorise or that is otherwise authorised under the Privacy Act 2020 or any other relevant laws.

3.2. If you do not wish to receive communications from us for any of the purposes described above (excluding clauses 3.1(a) – (e), which are necessary for us to provide our Services to you), you may unsubscribe from receiving any such communications.

4. Use of Personal Information for Employment Purposes

- 4.1. In the case of employment, the Personal Information we collect may be used for the following purposes:
- a. to your respond to your employment application and to respond to your communications;
 - b. to verify your eligibility to work for us;
 - c. to undertake pre-employment checks;
 - d. to conduct any formal employment process, for example – performance management, disciplinary action;
 - e. to protect and/or enforce our legal rights and interests, including defending any claim made by you; and
 - f. for any other use that you authorise or that is otherwise authorised under the Privacy Act 2020 or any other relevant laws.

5. Disclosure of Personal Information

- 5.1. We may disclose your Personal Information for the purposes described above, including sharing your Personal Information with our employees and officers and between our related companies mentioned above and their employees and officers.
- 5.2. We may also disclose your Personal Information to our contractors and other businesses we work with in relation to our Services or that otherwise support our business, including:
- a. marketing agencies, analytics providers and market research providers;
 - b. our lawyers, accountants, auditors, insurers, financiers and other professional advisors; and
 - c. IT service providers and any person that hosts or maintains any underlying IT system or data function, including cloud-based software, storage and/or systems which are associated with our functions and or activities.
- 5.3. Where the disclosure of Personal Information is made to a foreign person or entity, we will carry out due diligence to endeavor to reasonably satisfy ourselves that the foreign person or entity is subject to foreign law that offers comparable or similar levels of protection to the Privacy Act 2020 or that the foreign person or entity will otherwise provide such comparable or similar levels of protection with respect to the Personal Information.
- 5.4. We may also disclose any and all information that we collect from you when we believe release is appropriate to comply with laws or regulations, enforce or apply our contract and terms and conditions, or to protect the rights, property, or safety of us, you, our users, or others or to satisfy legal processes or governmental requests.

5.5. We take reasonable steps to protect your Personal Information we collect from unauthorised access, loss or misuse. However, as no data transmission over the Internet can be guaranteed to be completely secure, we cannot ensure or warrant the security of any information you transmit or receive to us. These activities are conducted at your own risk.

6. Accuracy of Information Provided and Your Obligations

6.1. You must only provide accurate and up-to-date information (which we are entitled to rely on) and you must maintain and update such information as may be necessary to keep it accurate and up-to-date.

6.2. You must comply with all obligations you have under the Privacy Act 2020 and any agreements with us and you must comply with other relevant company policies, which you are responsible and liable for.

7. Accessing and Updating your Personal Information

7.1. You have rights of access to and correction, erasure or restriction of your Personal Information that we hold. You may request that we do so by contacting our Privacy Officer, by emailing: privacy@seeka.co.nz

7.2. No fee is required to exercise the rights outlined above in clause 7.1. However, we may charge a fee if your request is unfounded, repetitive or excessive or we may refuse your request.

8. Advertising and Links

8.1. We may provide links to other sites, which may not follow the same privacy policies as us. We recommend that you check any relevant privacy policies before providing your personal information to any third party.

8.2. You acknowledge that we have no control over the privacy policies of other businesses and you agree it is your responsibility to review such privacy policies prior to submitting any personal details to them.

8.3. We may link to various social networking sites. Your personal information may be accessed and viewed by users of those sites if you submit your information on those sites. You acknowledge and agree that we are not responsible for protecting your personal information on these sites.

9. Non-Personal Information

9.1. By accessing our Websites, some Non-Personal Information such as your IP address, device, browser and domain and the date and time of your access may be recorded in a "cookie" file.

9.2. We may use the information generated by "cookies", tracking pixels and other related technologies to:

- a. track traffic patterns to and from our Websites including information like the pages you visit, the time you spend on each page, the date and time of your visit, and referring pages (pages you came from or go to);
- b. ensure advertising is being shown to the most appropriate person and limit the frequency of display for certain advertisement formats;
- c. identify and maintain certain views and options for user preference; and
- d. enable us and our affiliates or partners (such as Google and Facebook) to serve targeted advertising to you and to "remarket" to you (on our Websites and elsewhere).

9.3. You can choose to refuse cookies by turning them off in your browser and/or deleting them from your hard drive. However, without cookies, our Websites may not function as intended and you may not be able to use the Websites.

10. Use and Disclosure of Non-Personal Information

10.1. You acknowledge and agree that we may provide or licence to any third party Non-Personal Information and related rights. But, subject to clause 11.2, we will not provide or licence to any third party any Personal Information other than in accordance with this Privacy Policy.

11. Rights to Information

11.1. The information we hold about you and the related rights we have in relation to that information (as outlined above) are held by SEEKA LIMITED and associated companies. SEEKA LIMITED is the controller and is responsible for your Personal Information.

11.2. You acknowledge that we may transfer or licence the information (including Personal Information) and related rights to affiliates or to any third party in the process of sale or part sale of our business.

12. Further Information

12.1. The Privacy Officer is responsible for overseeing questions in relation to this Privacy Policy. If you require any further information, or if you have an issue or complaint, please contact the Privacy Officer by emailing: privacy@seeka.co.nz

12.2. You have a right to make a complaint to the Privacy Commissioner in New Zealand. However, we would appreciate the opportunity to address your concerns before you approach the Privacy Commissioner.