

New Zealand – Sotheby’s International Realty – Privacy Policy

New Zealand – Sotheby’s International Limited (NZSIR) is committed to protecting the information that you share with us, and explaining how we collect, process, store and share that information.

NZSIR is required to comply with the Privacy Act 1993 in New Zealand.

This policy is intended to provide a general overview of our policies for the handling of your personal information. It covers the collection, processing and other use of personal data under the General Data Protection Regulations (GDPR) 2018. Other policies may apply instead of or in addition to this Privacy Policy in certain circumstances.

Scope and information that this Privacy Policy covers

This Privacy Policy applies to Personal Information (defined below) collected on our websites, mobile applications, cloud-based services, or controlled widgets embedded in communication platforms with a link to this Privacy Policy (collectively, the “Site”). It covers how we collect, use, share, and otherwise process such Personal Information as of the date that this Privacy Policy is posted. It does not apply to any other information collected by NZSIR through any other means. By “Personal Information,” we mean information that identifies or can identify you personally.

The Site contains links to third-party websites, including websites of our independent franchisees. We do not own, operate or control the websites of such third-parties, or of NZSIR franchisees or sales associates which are independent third parties. Accordingly, this Privacy Policy does not apply to any websites maintained or operated by third-parties, or to a franchisee’s or sales associate’s website, collection, use, storage, disclosure, or other processing of your Personal Information. When you click on those links, you will go to a third-party website where you will be subject to that website’s privacy policy and we encourage you to read that policy. Please be aware that we are not responsible for the privacy practices of those other websites, including those of our independent franchisees, and we expressly disclaim any liability for their actions, including actions relating to the use and disclosure of Personal Information by those third-parties.

1. Collection and Use of Your Personal Information

We collect your Personal Information on the Site to enhance the services we offer you, improve the Site, and inform you about other services and products that may be available through us, our affiliated companies, our franchisees and/or our marketing partners. We collect Personal Information about you when you interact with or utilize services offered on this Site, such as:

Registrations for special communications, such as saving a search for you and, but only if you request it, sending you new listings that fit the profile of your saved search;

Requests to find a property, to list your property, and to find a sales associate;

Requests to contact us;

Requests to receive periodic industry updates;

Requests to email a listing to a friend; and

Requests to Find or List a Property and to Find a Sales Associate

Personal Information includes:

Name;

Postal or billing address;

E-mail address;

Telephone or mobile number;

Location via IP address;

Cookies and similar technologies;

Other relevant data.

Even if you do not send us any Personal Information, we collect certain non-personal information about how you use our Site. This information cannot identify you, and is used for statistical purposes.

2. Use and sharing of Personal Information

Whatever the purpose may be – whether we share with service providers or other external entities – we only process and share your Personal Information to the extent reasonably necessary to fulfil your requests and meet our legitimate business and legal objectives. When we disclose Personal Information to external entities to perform support services for us, we establish by contract that they may access your Personal Information only for the purposes of performing those support services. We may also use what we know about you to offer you other products and services. We may combine your online information with information collected from offline or online sources, or information we already have. We may also use and disclose certain Personal Information to our affiliated companies and others for any purpose allowed by law.

NZSIR's Business Activities. We generally process and may disclose your Personal Information to others to:

Provide you with products and services, including authenticating authorized users, and marketing our products and services;

Perform certain services or other transactions initiated by you;

Respond to your questions, complaints, or reviews of our product or services;

Send you communications about online transactions, product information, ads and promotions, electronic newsletters, or other notices you requested or offers tailored to you;

Enable our advertisers to provide you with more personalized content, and track the effectiveness of certain advertising campaigns;

Comply with applicable law, obey judicial orders, cooperate with law enforcement authorities, or prevent any suspected illegal activities;

Help us run our business; or

For any other everyday business purposes, such as product development and Site administration.

3. Legal grounds for the collection, use, sharing, and other processing of Personal Information

Certain jurisdictions, including those in Europe, require the identification of the legal grounds for the collection, use, sharing, and other processing of Personal Information. NZSIR relies on the following legal grounds for its collection, use, sharing, and other processing of Personal Information as described in this Privacy Statement:

Necessary to provide information or otherwise carry out the performance of a contract with you as an individual;

Our legitimate interests, including:

Performance of the contract with our franchisees;

Implementation and operation of a group-wide matrix structure and group-wide information sharing;

Customer relationship management and other forms of marketing and analytics;

Fraud prevention, misuse of company IT systems, or money laundering;

Whistle-blower scheme operations;

Physical, IT, and network perimeter security;

Internal investigations; and

Intended mergers and acquisitions;

Compliance with legal obligations and/or defence against legal claims, including those in the area of labour law, social security, and data protection, tax, and corporate compliance laws.

Protection of the vital interests of any individual;

Performance of a task carried out in the public interest or in the exercise of official authority vested in NZSIR ; and

Consent, as permitted by applicable law.

4. Your rights concerning your Personal Information

You have the following choices regarding our use and disclosure of your Personal Information:

Marketing Communications. If you no longer wish to receive any marketing communications, remain on a mailing list to which you previously subscribed or receive any other communication from NZSIR, please follow the unsubscribe link in the relevant communications or contact us using the link at the bottom of the message. Even after you opt-out or update your marketing preferences, we may still contact you for transactional or informational purposes. These include, for example, customer service issues, returns or product-related inquiries, surveys or recalls, or any questions regarding a specific order.

Cookies and Similar Technologies. Please review your browser or computer settings for certain cookies and see below to exercise certain choices regarding cookies.

You are not required to provide all Personal Information identified in this Privacy Policy to use our Site, but certain aspects of our Site will not be available to you. However, you can use our services without consenting to non-essential cookies or direct marketing emails; the only consequence is that our products and services will be less communicated, we may not be able to provide the support you seek, and you may miss out on attractive promotions and news about our products and services.

Right of access: You have the right to obtain from us confirmation as to whether or not Personal Information concerning you is processed, and, to request access to the Personal Information. The access information includes, among other things, the purposes of the processing, the categories of Personal Information concerned, and the recipients or categories of recipient to whom the Personal Information have been or will be disclosed. This is not, however, an absolute right, and the interests of other individuals may restrict your right of access. You may have the right to obtain a copy of their Personal Information undergoing processing.

Right to rectification: You have the right to obtain from us the rectification of inaccurate Personal Information about you. Depending on the purposes of the processing, you may have the right to have incomplete Personal Information completed, including by means of providing a supplementary statement.

Right to erasure (right to be forgotten): Under certain circumstances, you have the right to obtain from us the erasure of Personal Information concerning you, and we may be obligated to erase that Personal Information. Personal data may reside in backup archives that must be retained for a longer period of time, either because it is impractical to isolate individual data within the archive, or because it is required to be retained for contractual, legal, or compliance reasons. Personal Information will not be restored to production systems (except in certain rare circumstances, e.g., the need to recover from a natural disaster, etc.). In such cases, Personal Information may be restored from the backup, however, all necessary steps will be taken to honour the initial request and erase the primary instance of the data. Backup archives containing Personal Information is protected with strong encryption.

Right to restriction of processing: Under certain circumstances, you have the right to obtain from us restriction of processing your Personal Information. In that case, your data will be marked and may only be processed by us for certain limited purposes. As NZSIR processes and uses your Personal Information primarily for purposes of carrying out a contract for a services relationship with NZSIR may have a legitimate interest for the processing which will override your restriction request, unless the restriction request relates to marketing activities.

Right to data portability: Under certain circumstances, you have the right to receive the Personal Information about you, which you have provided to us, in a structured, commonly used and machine-readable format, and you have the right to transmit that data to another entity without hindrance from us.

Right to object: Under certain circumstances, you have the right to object, on grounds relating to your particular situation, at any time to the processing of your Personal Information by us, and we can be required to no longer process your Personal Information.

Where permitted by applicable law, you also have the right to lodge a complaint with a competent data protection supervisory authority.

5. Publication of Photographs

It is our regular practice to photograph people attending events and some of those photographs are published in on-line newsletters and / or on NZSIR social media sites. If you are attending such an event and you do not wish to have your photograph taken, the photographer should be told and your request will be accepted. In permitting yourself to be photographed, we understand you to be consenting to the publication of your photograph in a tasteful and appropriate manner.

6. Security

The security and confidentiality of your Personal Information matters to us. That's why we have adequate technical, administrative, and physical controls in place to protect your Personal Information from unauthorized access, use, and disclosure. For example, we provide the option to encrypt all information you submit to us using Secure Sockets Layer ("SSL") technology that helps protect information during transport to our Site. We periodically review our security measures to evaluate industry best practices and update accordingly. Even so, despite our reasonable efforts, no security measure is ever perfect or impenetrable.

7. Data Retention

Depending on the service you require, we will retain your Personal Information only for the period necessary to fulfil the purposes outlined in this Privacy Policy or as set out in our contracts with our franchisees, unless a longer retention period is required or permitted by a law that applies to us.

8. Cookies and Similar Tracking Technologies

Information Collected Through Technology. Information is also obtained in other ways through technology. Some of this information may be linked to you personally. In accordance with applicable law, NZSIR uses and allows third parties to use essential and non-essential cookies, online tracking tools, web beacons, and similar technologies (collectively, "cookies") on our Site. We process this information to help our Site function correctly, and better understand the needs of our customers.

Cookies on our Site generally fall into the following categories:

Strictly Necessary Cookies: These are required for the operation of our Site. They include, for example, cookies that enable you to log into secure areas. These cookies are session cookies which are erased when you close your browser.

Analytical/Performance Cookies: These allow us to recognize and count the number of users of our Site and see how such users navigate through our Site. This helps to improve how our Site works, for example, by ensuring that users can find what they are looking for easily. These cookies are session cookies which are erased when you close your browser.

Functional Cookies: These improve the functional performance of our Site and make it easier for you to use. For example, cookies are used to remember that you have previously visited the Site and asked to remain logged into it. These cookies are session cookies which are erased when you close your browser.

Targeting Cookies: These record your visit to our Site, the pages you have visited and the links you have followed to recognize you as a previous visitor and to track your activity on the Site and other websites you visit. These cookies qualify as persistent cookies, because they remain on your device for us to use during a next visit to our Site. You can delete these cookies via your browser settings. We will not collect these cookies from individuals in Europe without proper consent.

Use of cookies. We advertise in a number of ways, including online through managed social media presences, and on other unaffiliated sites and mobile applications. To understand how our advertising campaigns are performing, we may collect certain information via cookies on our Site through our advertising service providers. The information we collect includes IP addresses, the number of page visits, pages viewed via our Site, search engine referrals, browsing activities over time and across other websites following your visit to our Site or applications, and responses to advertisements and promotions on the websites and applications where we advertise.

We also use certain information to identify new visitors to our Site, recognize returning visitors, advertise on other websites and mobile applications not affiliated with us, analyse the effectiveness of our advertisements, better understand our audience, customers, or other Site visitors, and determine whether you might be interested in new products or services.

Controlling Our Tracking Tools. Your browser may give you the ability to control cookies. How you do so, however, depends on your browser and the type of cookie. Certain browsers can be set to reject all browser cookies. If you configure your computer to block all cookies, you may disrupt certain web page features, and limit the functionality we can provide when you visit or use our Site (e.g., we will not be able to provide you with searches that you have asked us to save). You can change your cookie settings at any time. Some browsers have a "Do Not Track" feature that lets you tell websites that you do not want to have your online activities tracked. These browser features are still not uniform, so we are not currently set up to respond to those signals.

Controlling Online Interest-Based Ads. We sometimes work with online advertising vendors to provide you with relevant and useful ads. This may include ads served on or through our Site. This may also include ads served on other companies' websites. These ads may be based on information collected by us or third parties. For example, your postal code may be used to target an ad for people in your area. These ads may also be based on your activities on our Site or on third party websites.

For more information about our ad service provider and its cookies, including information about how to opt out of these technologies, you may visit <http://optout.aboutads.info> In addition, users may prevent Google's collection of data generated by your use of the Site (including your IP address) by downloading and installing a Browser Plugin available at <https://tools.google.com/dlpage/gaoptout?hl=en>.

- Third party vendors, including Google & Facebook, show our ads on sites on the internet.
- Third party vendors, including Google and Facebook, may use cookies on our website to serve ads on other sites on the internet based on a user's prior visits to our website.
- Users may opt out of Google's use of cookies by visiting the Google advertising opt-page (<https://www.google.com/policies/technologies/ads>) and control the way that Facebook shows ads using Facebook's ad settings (<https://www.facebook.com/ads/preferences>)
- Google account holders may view and control their activity by visiting their My Activity page (<https://myactivity.google.com/myactivity>)

Where you agree to allow the app to access your location on a mobile device, we may use that information to show you properties around you and give you more relevant search results. Your location information is used only by the app in real time and is not stored by us.

Personally identifiable information cannot be collected via cookies and other tracking technology, however, if you provide personally identifiable information, cookies and the data that they and other tracking technology collect may be connected to you using that information.

9. Social Media Information

When you follow or like our social media channels or like, comment on, share or otherwise interact with any of our posts or other content on our social media channels, you may provide information about yourself, including your name, profile information and profile picture. The information that you make available can often be controlled through the settings for your account on the relevant social media platform.

Our social media channels are public and everything you share on our posts can be seen by everyone else, therefore please do not share any personal, confidential or sensitive information when posting on any of our social media channels.

10. Changes or other updates to this Privacy Policy

We may amend this Privacy Policy at any time. If we make any material change in how we collect, use, disclose, or otherwise process Personal Information, we will prominently post an updated Privacy Policy on our Sites. Any material changes to this Privacy Policy will be effective 10 days after our posting of the updated Privacy Policy. Where required to do so by law, we may seek your prior consent to any material changes we make to this Privacy Policy.

11. More on Privacy

You can obtain further information about privacy in New Zealand and the protection of your personal information on the New Zealand legislation website (<http://www.legislation.govt.nz>)

12. Comments and Questions

If you have any questions or concerns about this Privacy Policy or wish to correct or update your Personal Information, or unsubscribe from any industry updates you have requested by modifying or deleting your profile on the Site, write to:

National Compliance Manager

New Zealand - Sotheby's International Realty
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