

Welcome to Arrowhead Alarm Products Limited's privacy policy.

Arrowhead Alarm Products Limited is a data controller of your information and we respect your privacy and are committed to protecting your personal data (collectively referred to as "Company", "we", "us" or "our" in this privacy policy). This privacy policy will inform you as to how we look after your personal data when you access and use our software application, "EliteControl" and our cloud infrastructure, "EliteCloud" (together referred to as "App") (regardless of where you access them from) or when you sign visit and use our website ("Website") and tell you about your privacy rights and how the law protects you.

1. PURPOSE OF THIS PRIVACY POLICY

1.1 This privacy policy aims to give you information on how we collect and process your personal data through your use of the App and Website, including any data you may provide through the App, our Website, when you access, or subscribe to our services.

1.2 If you are under the age of 18, you must only use the App and Website with parental or caregiver consent, provided that your parent or legal guardian is over the age of 18 and has read and accepted this privacy policy on your behalf.

1.3 It is important that you read this privacy policy so that you are fully aware of how and why we are using your data.

2. CONTROLLER AND CONTACT DETAILS

2.1 The Company is the controller and is responsible for your personal data.

2.2 If you have any questions about this privacy policy, including any requests to exercise your legal rights, or would like to raise any concerns, please contact us at privacyofficer@aap.co.nz. We would appreciate the chance to deal with any of your concerns in the first instance.

2.3 The Company collects your personal data. The Company's address is 1A Emirali Road, Silverdale, Auckland, New Zealand. If we move premises, our address will change and we will notify you of this change through any means of communication, most likely email, to the most up to date contact information you have provided us..

2.4 The following external third parties also hold and process your personal data:

(a) Stripe, Inc. whose address is 510 Townsend Street, San Francisco, California 94103, United States of America.

(b) Amazon.com, Inc. whose address is 251 Little Falls Drive, Wilmington, De 19808, United States of America.

Our external third parties may change from time to time so please contact us for the most up to date information and we will endeavour to respond to you as soon as possible.

3. CHANGES TO THE PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES

3.1 We keep our privacy policy under regular review. This version was last updated on August 2023. Historic versions can be obtained by contacting us. When you consent to our privacy policy, a duplicate copy of the privacy policy with the date on which you provided your consent will be saved to our server.

3.2 It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

3.3 Your continued use of our App or Website constitutes acceptance of this privacy policy (or any future variation which may be uploaded to the App or Website).

4. THIRD-PARTY LINKS

4.1 The App or Website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites, plug-ins or applications and are not responsible for their privacy statements. When you leave our App and Website, we encourage you to read the privacy policy of every website or application you access.

5. THE DATA WE COLLECT ABOUT YOU

5.1 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity of the person to which the data relates has been removed (anonymous data).

5.2 We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

(a) **Identity Data** includes company name, first name, last name, date of birth, gender, username or similar identifier.

(b) **Contact Data** includes billing address, physical address, email address and telephone number.

- (c) **Financial Data** includes payment card details, account information, billing country, receipt number, automatic payment method identifier and information you have authorised third parties to provide to us, such as credit agencies.
- (d) **Transaction Data** includes details about payments to and from you and other details of your use of our App and Website.
- (e) **Technical Data** includes internet protocol (IP) address, your login data including alarm pin codes, access date and time, service access history, service functionality usage history, device model, identifier, version, screen resolution and mac address, time zone setting and location, device plug-in types and versions, operating system and platform, geo-fencing data (which includes monitoring user location in the App's or Website's background, precise location information, location data (latitude, longitude) that is bound to each site and stored locally), and other technology on the devices you use to access our App and Website.
- (f) **Panel Data** includes information relating to the panel device (being a device manufactured by the Company with networking ability that automatically connects to EliteCloud and reports its hardware and security status periodically ("**Panel**")) including the Panel manufacturer and model, version, identifier, resource configuration, current and previous configurations and hardware information, the App users associated with the Panel, the Panel's monitoring information, user device identifier, custom name and communication history, the Panel's cloud API access configuration and the Panel's personal certificates.
- (g) **Site information** includes information relating to the site (being the location or premise where the panel is to be used ("**Site**")) including the Site address with precise coordinates, Site administrator user, the App users and Panels associated with the Site, the Site's custom name and profile picture.
- (h) **Profile Data** includes your username and password, profile picture, your interests, preferences, and feedback and survey responses.
- (i) **Usage Data** includes information about how you access and use our App and Website.
- (j) **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties, your communication preferences and information relating to your use of our App, Website, and interactions with our staff including phone and email communications.

5.3 We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific App feature or a certain part of our Website. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

5.4 We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

5.5 We do not intend to collect data relating to children and we do not knowingly collect data relating to children. If in any event we have data relating to children, we are committed to protecting the privacy of children or young persons who use our App or Website. By using our App or Website, you confirm that any information of children or young persons provided by you are obtained in compliance with the Privacy Act 2020.

5.6 We do not collect any of your personal data if you are simply browsing our Website, however, cookies are enabled so please have a read of how we use cookies below.

6. IF YOU FAIL TO PROVIDE PERSONAL DATA

6.1 Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with access to our App and Website). In this case, you may not be able to use or access our App, or certain functions of our Website, but we will notify you if this is the case at the time.

6.2 You are responsible to ensure that all information you provide us is current, complete and accurate. If we believe that the information you provide is not current, complete, or accurate, we reserve the right to decline access to information or services, deny access to certain parts of the our App and Website.

7. HOW IS YOUR PERSONAL DATA COLLECTED?

7.1 We use different methods to collect data from and about you including through:

- (a) **Direct interactions.** You may give us your Identity, Contact, Profile, Panel, Site, Transaction and Financial Data by using our App, our Website, filling in forms or by corresponding with us by phone, email or otherwise. This includes personal data you provide when you:
 - (i) create an account on our App or Website;
 - (ii) subscribe to our App service or Website;
 - (iii) complete an order form or credit application form with us;
 - (iv) request marketing to be sent to you;
 - (v) leave a review;
 - (vi) enter a competition, promotion or survey;
 - (vii) enter information during EliteCloud service usages;
 - (viii) connect your Panel to the internet which will initiate communication with EliteCloud;
 - (ix) consult or enquire with our technicians or sales peoples through phone, email, fax or other communications;

- (x) give us feedback or contact us; or
- (xi) fill out a 'contact us' inquiry form.

(b) **Automated technologies or interactions.** As you interact with our App and Website, we will automatically collect Panel, Site and Technical Data about your equipment and devices that you use to access our App, our Website, and your use actions and patterns when using our App and Website. We collect this personal data by using cookies and other similar technologies. Please see our [cookie policy](#) below for further details.

(c) **Third parties and publicly available sources.** We may receive personal data about you from authorised third parties and publicly available sources from time to time.

8. HOW WE USE YOUR PERSONAL DATA

8.1 We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- (a) Where we need to perform the contract we are about to enter into or have entered into with you.
- (b) Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. Legitimate interests for our business includes conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- (c) Where we need to comply with a legal obligation that we are subject to.
- (d) Where such use of the data has been authorised by you.

9. PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

9.1 We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

9.2 Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

| Purpose/Activity | Type of data | Basis for processing including basis of legitimate interest |
|--|---|---|
| To register you as a new customer | Identity, Contact, Panel and Site | (a) Performance of a contract with you |
| Administering your account on the App or Website (including but not limited to): (a) Manage payments, fees and charges (b) Maintain your subscription with us (c) Collect and recover money owed to us (d) Enforce our rights under our agreement with you | Identity, Contact, Financial, Transaction, Panel, Profile, Site, Marketing and Communications | (a) Performance of a contract with you (b) Necessary for our legitimate interests (including to recover debts due to us and protect our business) |
| To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review (c) Responding to communications from you in relation to the App or Website, including any complaints (d) Provide personalised App service or Website experiences (e) Customer care and general administrative related activities | Identity, Contact, Panel, Profile, Site, Usage, Marketing and Communications | (a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use and access our App and Website, to develop our App, enhance our Website, and grow our business) |

| | | |
|---|---|---|
| To enable you to partake in a prize draw, competition or complete a survey | Identity, Contact, Profile, Usage, Marketing and Communications | (a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business) |
| To administer and protect our business, our Website, and our App (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data) | Identity, Contact, Panel, Site and Technical | (a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud, identify any unauthorised attempts to upload or change information, or otherwise cause damage to our App, our Website, business or App service operation or management) (b) Necessary to comply with a legal obligation |
| To deliver relevant App content, Website content and services, and advertisements to you and measure or understand the effectiveness of the advertising we serve to you | Identity, Contact, Profile, Usage, Marketing and Communications and Technical | (a) Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy) |
| To use data analytics to improve our App and Website, marketing, customer relationships and experiences and for historical, statistical or research purposes and to run and manage various services, features and functionalities on our App, and our Website | Panel, Site, Technical and Usage | (a) Necessary for our legitimate interests (to define types of customers for our App and Website, to keep our App or Website, updated and relevant, to develop and improve our business and to inform our marketing strategy) |
| To make suggestions and recommendations to you about products/services that may be of interest to you | Identity, Contact, Technical, Usage, Profile, Marketing and Communications | (a) Necessary for our legitimate interests (to develop our App, curate our Website, and grow our business) |
| To comply with our relevant legal obligations (such as where we have a legal obligation to disclose data to a third party) | Identity, Contact, Financial, Transaction, Technical, Usage, Panel, Profile, Site, Marketing and Communications | (a) Necessary to comply with a legal obligation |

10. PROMOTIONAL OFFERS FROM US

10.1 We may use your Identity, Contact, Panel, Site, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products/services and offers may be relevant for you. You will receive marketing communications from us if you have requested information from us, accessed our App, visited our Website, or subscribed to our App and notifications, and you have not opted out of receiving that marketing.

11. THIRD-PARTY MARKETING

11.1 We will get your express consent before we share your personal data with any third party for marketing purposes. You can ask us or third parties to stop sending you marketing messages at any time by contacting us at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of using or accessing our App, Website, service experience or other transaction.

12. CHANGE OF PURPOSE

12.1 We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

12.2 If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

12.3 Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

13. DISCLOSURES OF YOUR PERSONAL DATA

13.1 We may share your personal data with the parties set out below for the purposes set out in the table above.

- (a) External third parties, such as service providers, who provide IT, website and application hosting, cloud computing and system administration services and credit/debit card payment services;

- (b) Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy;
- (c) Third parties who are involved in the prevention or detection of fraud or crime or the apprehension or prosecution of offenders, including the operators and participants of crime prevention schemes in which we participate who may compare your personal information with information collected from other sources and who may keep a record of the searches we make against your name;
- (d) Third parties to whom we may be required to pass your information by reason of legal, governmental or regulatory authority or where we believe in good faith that disclosure is necessary to protect or enforce our rights or the rights, property, or safety of others;
- (e) Our employees and our agents or contractors who perform a particular function or service on our behalf (for example, mailing houses, organisations that assist us to conduct promotions or market research, customer support providers, information technology providers and debt collection agencies);
- (f) Professional advisors including lawyers, accountants, bankers, creditors and insurers who provide consultancy, banking, legal, insurance and accountancy services; and
- (g) Any other third party, where you have given your express consent for us to do so.

13.2 We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

13.3 We may disclose non-personally identifiable information to our service providers (such as Google, Apple and Android) for the purposes of conducting our business and improving our App, enhancing our Website, and marketing.

13.4 Some of our external third parties may be based outside of New Zealand, so their processing of your data may involve a transfer of your data overseas. In such circumstances we may (where we determine it is necessary to do so) enter into specific terms, contracts or otherwise require that third party to give your personal data the same protection it has in New Zealand.

13.5 Your geo-fencing data as defined in clause 5.2(e) remains on your device and is not shared with our server.

14. INTERNATIONAL TRANSFERS

14.1 Depending on the third party, some levels of personal information may be disclosed to third parties in countries outside New Zealand and steps are taken to reasonably ensure it has similar levels of data protection. If the third party is not in a country with similar levels of data protection as that provided by the New Zealand Privacy Act, this will be made known to you and we will only share the required personal information necessary for the purposes of the performance of our services upon receipt of your consent.

15. DATA SECURITY

15.1 We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

15.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

15.3 Regardless of the security measures taken by us, you acknowledge and understand that no data transmission over the internet and no security software or other security feature can be guaranteed as totally secure.

15.4 Only staff members who have a legitimate business purpose for accessing and handling information obtained by us are given authorisation to do so. Any unauthorised access or use of such information by our staff members is prohibited.

16. DATA RETENTION

16.1 We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

16.2 To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

- 16.3 By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for 6 years after they cease being customers for tax purposes.
- 16.4 We may retain your personal information for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.
- 16.5 In some circumstances you can ask us to delete your data. Please refer to your legal rights below for further information.
- 16.6 In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

17. COOKIES

- 17.1 When you interact with our Website, we will automatically collect Technical Data from the devices you use to access and use our website by using cookies and other similar technologies.
- 17.2 A cookie is a small file of letters and numbers that we put on your device. These cookies allow us to distinguish you from other users of our Website, which helps us to provide you with a good experience when you use our Website and also allows us to improve our Website.
- 17.3 The cookies we use allow us to:
- (a) Recognise and count the number of visitors and to see how visitors move around our Website when they are using it. This helps us to improve the way our Website works, for example, by ensuring that users are finding what they are looking for easily;
 - (b) Assist with the operation of our Website;
 - (c) Recognise you when you return to our Website. This enables us to personalise our content for you, and remember your preferences; and
 - (d) Record your visit to our Website, the pages you have visited and the links you have followed. We will use this information to make our Website and the advertising displayed (if any) on it more relevant to your interests.
- 17.4 You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies you may not be able to access all or parts of our Website.
- 17.5 Please note that links to third party websites, plug-in and applications may use cookies, over which we have no control.

18. YOUR LEGAL RIGHTS

- 18.1 Under certain circumstances, you may have rights under data protection laws in relation to your personal data including the right to:
- (a) **Request access to your personal data.** This enables you to receive a copy of the personal data we hold about you.
 - (b) **Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
 - (c) **Request erasure of your personal data.** This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
 - (d) **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
 - (e) **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - (i) If you want us to establish the data's accuracy.
 - (ii) Where our use of the data is unlawful but you do not want us to erase it.
 - (iii) Where you need us to hold the data even if we no longer require it to establish, exercise or defend legal claims.
 - (iv) You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- (f) **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- (g) **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

18.2 If you wish to exercise any of the rights set out above, please contact us.

19. **ACCESSING YOUR DATA**

19.1 You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

19.2 We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

19.3 We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated as to the progress of your request.