

Privacy Policy

Last updated: October 2023

1. INTRODUCTION

- 1.1 ZeroKing Limited (“**we**” or “**us**”) is committed to respecting your privacy at all times. This Privacy Policy describes what personal information or data we collect and how we use, store and disclose the personal information we collect, to ensure we comply with our obligations under the Privacy Act 2020 (the “**Act**”).
- 1.2 By providing your personal information or using our products and services, you agree to this Privacy Policy. If you provide information about any other person, then you must be authorised by that person to provide such data to us. Please read our Privacy Policy carefully.
- 1.3 This Privacy Policy may change at any time and we will tell you about any changes by posting an updated policy on our website. These changes will take effect from the date we post it, so please ensure you review our Privacy Policy from time to time. By using our website or any products and services offered by us, you will be accepting these changes.

2. WHAT INFORMATION WE COLLECT

- 2.1 We may obtain information about you from various sources, including through your general interactions with us and through your use of our products, services and via our website.
- 2.2 The types of personal information we may collect through your general interactions with us include:
 - a) name, contact details, date of birth and other contact information such as player name/handle;
 - b) business contact information (such as job title, department and name of organisation);
 - c) your IP address, device ID, memory information, browser type and version, connection speed, network information, broad geographical location (e.g. country identification), device identifiers and cookie identifiers;
 - d) game progress, metrics and playing behaviour for our games;
 - e) billing and address information, if applicable;
 - f) conversations with our staff, agents or other persons;
 - g) email communications, and your written or verbal interactions with us or our agents;
 - h) number of visits to our website;
 - i) use of our social media platforms;
 - j) product and service preferences; and
 - k) any other information that is reasonably necessary for us to run our business and provide our products and services.

2.3 When you use our website, the data we collect depends on the authentication method used but may include, without limitation, profile information (e.g. from your Facebook or other social media profiles) and information voluntarily entered by you on our website (e.g. name, gender, birthdate, email address, phone number).

2.4 We will take reasonable steps to ensure the personal information we hold is accurate, up to date, complete, relevant, and not misleading.

3. HOW WE COLLECT INFORMATION

3.1 We will usually collect personal information directly from you or from your nominated agent when you or your nominated agent:

- a) interact with us over the phone, via email or letter, via our websites;
- b) meet with our staff or agents; or
- c) use our products and services or website.

3.2 We also use cookies and similar tracking technologies to track the activity on our website and hold certain information. We use cookies to enable efficient navigation of our website only and not for the purpose of collecting personal information. You may disable cookies by changing the settings on your browser, although this may mean that you cannot use all of the features of the website.

3.3 We (and any authorised third parties in accordance with this Privacy Policy) may also collect personal information:

- a) when you apply for employment or contracting opportunities with us;
- b) when you submit your personal details to participate in competitions and promotions or to subscribe to any of our communications;
- c) through the use of cookies and web beacons when you use our website;
- d) from a government department, or law enforcement agency (in relation to security matters);
- e) from our business partners that sell you products or services; and
- f) from publicly available sources of information, such as telephone directories and websites.

3.4 When we receive personal information from a third party, we will process that data in accordance with this Privacy Policy.

3.5 If you choose not to provide your personal information to us, we may not be able to:

- a) provide you with the product or service you want;
- b) respond to your requests;
- c) manage or administer your product or service;
- d) personalise your experience with us; or
- e) verify your identity or protect against fraud.

4. WHY WE COLLECT THE INFORMATION

4.1 We, and any third parties in accordance with this Privacy Policy, may use your personal information for any one or more of the following purposes, to pursue our “legitimate interests” as follows:

- a) to provide, administer and communicate with you on our products, services and promotions;
- b) to tailor experiences to you and report back to you on your experience;
- c) to help us develop, market, improve, manage or review our products and services;
- d) to conduct client surveys in order to improve our products and services;
- e) to enforce our terms and conditions;
- f) to ensure safety policies are being followed;
- g) to comply with applicable legal requirements, industry standards and our policies, and as part of the investigation and analysis of incidents;
- h) to detect and capture evidence of any crime;
- i) to respond to queries, complaints or to provide you with our general customer service;
- j) to comply with requests made by a court or governmental or other public authority, for example, in connection with legal proceedings or the prevention or detection of fraud and crime;
- k) to notify you of services, special offers, opportunities, products or benefits that are being offered by us; and
- l) to generate statistical information and reports on the use of our products and services.

4.2 We may use your personal information for additional purposes related to the purposes listed above, where we reasonably believe that the purpose for which the information is to be used is directly related to the purpose in connection with which the information was obtained, or where an exception under the Privacy Act 2020 applies.

4.3 By providing your email address, you consent to us sending you information connected with the above collection and use purposes via email.

5. WHO WE SHARE INFORMATION WITH

5.1 We may share information with our staff, related companies, advisers or third parties contracted to us, however personal information will only be shared if it is necessary for them to carry out their work for us and to meet your request for products and services.

5.2 We may disclose information about you to law enforcement authorities or other government officials, if:

- a) we are required to do so by law;
- b) we believe disclosure is necessary or appropriate to prevent physical harm or financial loss; or

c) in connection with an investigation of suspected fraudulent or illegal activity.

5.3 We also reserve the right to disclose personal information we have about you if we sell or transfer all, or a portion of, our business or assets or subsidiaries or related companies. If such a sale or transfer occurs:

a) we will use reasonable efforts to direct the purchaser to use personal information you have provided to us in a manner that is consistent with our Privacy Policy; and

b) following such a sale or transfer, you may contact the entity to which we transferred your personal information with any enquiries concerning the processing of that information.

5.4 Your personal information may be disclosed offshore where this is necessary for us to run our business and provide our services. For example, we may use third party data managers based here or overseas (such as cloud-based database companies). However, your personal information will only be disclosed offshore where we reasonably believe the protections that apply to your information will be as good as the protection that applies in New Zealand, or where we obtain your express permission.

5.5 We will not disclose personal information to any other agency or to any other person unless we believe on reasonable grounds that the disclosure of the information is one of the purposes in connection with which the information was obtained or is directly related to one of those purposes, or if we believe another exception under the Privacy Act 2020 applies.

6. HOW WE PROTECT AND RETAIN INFORMATION

6.1 We implement and maintain appropriate administrative, technical and physical safeguards designed to protect the personal information you provide against accidental, unlawful or unauthorised destruction, loss, alteration, access, disclosure or use. We use encryption on our website from which we transfer certain personal information.

6.2 We will take reasonable steps to ensure that where we use unique identifiers (i.e. individual numbers, references or other forms of identification in relation to an identifiable individual), the risk of misuse is minimised.

6.3 If needed to provide our products or services, we may potentially store your data securely on servers owned by Google, Amazon Web Services, Unity and Epic Games or Steam.

6.4 Communications over the internet are not secure unless they have been encrypted. We cannot guarantee the security of any transmission to us by email or otherwise.

6.5 We only keep your identifiable personal information for as long as and to the extent that we need it to reasonably meet the purposes for which we collect it (as set out in this Privacy Policy).

6.6 When we no longer require your personal information for the reasons outlined above, we will destroy, delete or permanently anonymise it.

7. YOUR RIGHTS AND CHOICES

7.1 We offer you certain choices about what personal information we collect from you, how we use that information, and how we communicate with you. You also have certain rights, including the rights to:

a) not provide personal information to us;

- b) refrain from submitting information directly to us;
- c) ask us not to share your personal information with third parties;
- d) request that we edit or correct any personal information we hold about you;
- e) request access to your personal information;
- f) withdraw any consent you previously provided to us; or
- g) object at any time on legitimate grounds to the processing of your personal information.

7.2 In some circumstances, taking these actions may mean that you cannot take advantage of our products and services. You do not need to provide us with some information that we automatically collect (e.g. some cookies), but we may need this information to provide you with full functionality of our products and services.

7.3 You can request access to, and correction or deletion of, your personal information held by us. We will process all requests for access, correction or deletion of your personal information within a reasonable time. If you would like to ask for a copy of your information, or to have it corrected, please contact us.

7.4 The right to access personal information may be limited in some circumstances by legal requirements or statutory (or other legal) exceptions. In order for us to process your request, we will need to verify your identity. If we refuse you access to your personal information, we will provide you with an explanation for that refusal.

7.5 Subject to the Act, we will notify you as soon as practicable of any privacy breach that involves your personal information, and where we believe that breach is likely to cause you serious harm. We will also notify the Privacy Commissioner in accordance with the requirements of the Act.

8. QUESTIONS AND COMPLAINTS

8.1 If, at any time, you have questions, concerns or comments about this Privacy Policy or our privacy practices, please contact us by e-mail at info@zeroking.com

8.2 If you wish to complain about any breach or potential breach of this Privacy Policy, please contact us via email and we will make every effort to resolve your complaint internally. If we do not resolve the complaint to your satisfaction, you may apply to the Privacy Commissioner.

8.3 For more information on how you may lodge a complaint with the Privacy Commissioner, please contact the Commissioner on 04-474-7590 or at <https://www.privacy.org.nz/about-us/contact/>.