

# MARLIN LIMITED

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## PRIVACY POLICY



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## POLICY STATEMENT

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Marlin Global Limited (“Marlin” or the “Company”) is committed to the responsible and lawful collection, use, storage and disclosure of information it holds and to acting in accordance with the Privacy Act 2020 (the “Privacy Act”), including the Privacy Principles set out in the Privacy Act.

The purpose of this Policy is to explain the Company’s approach to the collection, use, storage and disclosure of information it holds in relation to shareholders, warrant holders and other persons or entities, including personal information as defined in the Privacy Act. “Personal Information” is any information about an identifiable individual and any data that can be used to identify that person or their relationship with the Company. Additional requirements apply to Personal Information because its collection, use, storage and disclosure is subject to the Privacy Act.

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## POLICY APPLICATION

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This Policy applies to any information received or processed by the Company (directly or indirectly).

Fisher Funds Management Limited (the “Manager”) is subject to a confidentiality obligation to the Company under the Management Agreement between the Company and the Manager.

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## INFORMATION

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The information the Company collects will vary depending on the type of interaction an individual has with the Company or the Company’s share registrar, Computershare Investor Services Limited (the “Registrar”). For example, the Company may collect the following information in relation to a shareholder:

- name, address, telephone and mobile numbers, e-mail addresses;
- IRD number and bank account details;
- records of phone calls and other contact made to or by the Company; and
- feedback provided by individuals (for example, through online surveys).

Information that is not public, and that may have an impact on the Company’s share price if disclosed, is also subject to the Company’s Continuous Disclosure Policy.

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## COLLECTION OF INFORMATION

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The Company collects information directly from shareholders, warrant holders and other persons when they:

- contact the Company directly;
- become a shareholder or warrant holder (including when an application or other form is completed); or
- access the Company’s website.

The Company also receives information from the Registrar in relation to shareholders and warrant holders to respond to queries and administer matters relating to the Company.

The Company will only collect Personal Information where it is permitted to do so under the Privacy Act, that is where the Personal Information is reasonably necessary for one or more of the Company's functions and activities and the Personal Information is collected for a lawful purpose connected with one or more of those functions or activities.

Prospective shareholders or warrant holders can choose not to provide the Company with information. However, the Company may not be able to provide certain services that depend on the collection of that information as a result.

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## USE OF INFORMATION

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The purposes for which the Company collects information are as follows:

- investor relations (e.g. for administrative purposes, to verify the identity of the shareholder/warrant holder or their instructions, to communicate with shareholders or warrant holders, to provide ongoing information, to improve service quality or to respond to queries); and
- compliance with all relevant legislation and requirements of regulators.

The Company will not use information for any other purpose, unless that use is specifically authorised by the individual concerned or otherwise permitted by the Privacy Act.

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## DISCLOSURE OF INFORMATION

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The Company does not sell or trade information to others. The Company may disclose information in accordance with the Privacy Act to, for example:

- the Company's professional advisers, including accountants, auditors and lawyers;
- contractors and third-party service providers (such as the Registrar) where the disclosure is for one of the purposes in connection with which the information was obtained or is directly related to the purposes in connection with which the information was obtained;
- personnel of the Manager who are engaged in providing administration services to the Company;
- government departments or agencies, regulators or tax authorities as required by law or to comply with any request, instruction, order or direction relating to the Company or the person to whom the information relates; and
- third party service providers who provide Company communications, including by mail, email, text message, online portal or any other electronic means.

Where information is disclosed to contractors and third party service providers, the third party are obliged to adhere to confidentiality requirements and to the requirements of the Privacy Act.

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## WEBSITES

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The Company's websites may provide links to other websites of interest. The Company will not endorse any third party websites or their content. The Company will not be responsible for the privacy policies of any third party websites that may be linked to its website.

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## STORAGE AND SECURITY

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The Company will take all reasonable steps to protect information from loss, unauthorised access, disclosure, modification or misuse.

The Company will safeguard information through a range of technical, physical and administrative security measures, including:

- physical security – restricted access to premises and hardcopy information;
- security systems for electronic information;
- maintaining and monitoring online security systems; and
- requiring service providers who host or maintain data centres and service platforms on the Company's behalf where information is processed to maintain information in a secure manner and to periodically report on their security arrangements (such as where information is held by the Registrar or the Manager).

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## RETENTION OF PERSONAL INFORMATION

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Personal Information will only be kept by the Company for so long as is reasonably necessary for the purposes for which it was collected. The Company destroys Personal Information when it is no longer required for the intended purposes. In certain situations, Personal Information may need to be retained for regulatory, tax, legal or business purposes.

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## ACCESS TO, CORRECTION OF AND REQUESTS FOR PERSONAL INFORMATION

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Individuals whose Personal Information is held by the Company have certain rights regarding their Personal Information. These include rights to request from the Company:

- confirmation of whether it holds any Personal Information about them;
- details of, or a copy of, Personal Information held about them;
- a correction to the Personal Information.

As a general principle, unless there are valid reasons why the Company would not disclose Personal Information (as prescribed by the Privacy Act) the Company will provide access to Personal Information it holds about any individual if they require that information. The Company may refuse to disclose Personal Information to a person in certain circumstances prescribed by the Privacy Act, for example if releasing the Personal Information would:

- create a serious threat to the health, safety, or life of an individual, or to public health or safety;  
or
- cause significant distress to a victim of an offence.

The Company may ask for additional information to confirm an individual's identity and for security purposes before disclosing Personal Information.

Anyone who wishes to receive confirmation that the Company holds their Personal Information or request a correction should contact the Company at [enquire@marlin.co.nz](mailto:enquire@marlin.co.nz), and provide details as to the type of Personal Information they are seeking to access and any specific corrections that need to be made. The Company will endeavour to respond to requests within 20 working days.

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## TRANSFER

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Information will not be transferred outside New Zealand unless such transfer of information is reasonably necessary for the purposes referred to above.

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## PRIVACY COMPLAINTS

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The Company will treat privacy complaints with respect and confidentiality.

Privacy complaints will be addressed by the Company's Privacy Officer. The Company will endeavour to respond in writing to the complainant with a decision as soon as reasonably practicable after the complaint is made.

In the event the complainant does not agree with the decision, the complaint will be escalated internally for review.

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## PRIVACY BREACH

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Privacy breaches will be appropriately managed by the Company and in accordance with the Privacy Act. The Company takes privacy breaches seriously and will investigate them promptly. If there is a breach of privacy involving Personal Information, the Company will comply with its legal obligations in the Privacy Act.

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## REVIEW OF POLICY

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This Policy will be reviewed annually.