

## KAPOW DESIGN LIMITED – PRIVACY POLICY

Kapow Design Limited NZBN 9429047821019 (**we, us or our**) respects your right to privacy and understand that protecting your personal information is important. We comply with the New Zealand Privacy Act 2020 (**Privacy Act**) when handling personal information. This Privacy Policy explains how we collect, hold, use, disclose and protect your personal information.

### The information we collect

**Personal information** means information about an identifiable individual (a natural person). The types of personal information we may collect about you include:

- your name;
- your location information;
- your social media handles;
- your contact details, including email address, mailing address, street address and/or telephone number;
- your credit card or payment details (through our third-party payment processor);
- your preferences and/or opinions;
- information you provide to us through customer surveys;
- details of products and services we have provided to you and/or that you have enquired about, and our response to you;
- your browser session and geo-location data, device and network information, statistics on page views and sessions, acquisition sources, search queries and/or browsing behaviour;
- information about your access and use of our Services, including through the use of Internet cookies, your communications with our online Services, the type of browser you are using, the type of operating system you are using and the domain name of your Internet service provider;
- additional personal information that you provide to us, directly or indirectly, through your use of our Services, associated applications, associated social media platforms and/or accounts from which you permit us to collect information; and
- any other personal information requested by us and/or provided by you or a third party.

### How we collect personal information

We collect personal information in a variety of ways, including:

- **Directly:** We collect personal information which you directly provide to us, including through the 'contact us' form on our website or when you request our assistance via email, our online chat or over the telephone.
- **Indirectly:** We may collect personal information which you indirectly provide to us while interacting with us, such as when you use our website, in emails, over the telephone and in your online enquiries.

### Collection and use of personal information

**Personal information:** We may collect, hold, use and disclose personal information for the following purposes:

- to enable you to access and use our Services;
- to provide our Services to you;
- to enable you to access and use our associated applications;
- to contact and communicate with you about our Services;
- for internal record keeping, administrative, invoicing and billing purposes;
- for analytics, market research and business development, including to operate and improve our Services, associated applications;
- for advertising and marketing, including to send you promotional information about our products and services and information that we consider may be of interest to you;
- to comply with our legal obligations and resolve any disputes that we may have;
- if you have applied for employment with us; to consider your employment application; and
- if otherwise required or authorised by law.

### Disclosure of personal information to third parties

We may disclose personal information to:

- third party service providers for the purpose of enabling them to provide their services, to us, including (without limitation) IT service providers, data storage, web-hosting and server providers, debt collectors, couriers, maintenance or problem-solving providers, marketing or advertising providers, professional advisors and payment systems operators;
- our employees, contractors and/or related entities;
- our existing or potential agents or business partners;
- anyone to whom our business or assets (or any part of them) are, or may (in good faith) be, transferred;
- courts, tribunals and regulatory authorities, in the event you fail to pay for goods or services we have provided to you;
- courts, tribunals, regulatory authorities and law enforcement officers, as required or authorised by law, in connection with any actual or prospective legal proceedings, or in order to establish, exercise or defend our legal rights; and
- any other third parties as required or authorised by law.

**Overseas disclosure:** For the purposes above, we may transfer your personal information to parties located outside New Zealand which may not have an equivalent level of data protection laws as those in New Zealand. Before disclosing any personal information to an overseas recipient, we will comply with Information Privacy Principle 12 and only disclose the information if you have authorised the disclosure after we expressly informed you that the overseas recipient may not be required to protect the personal information in a way that, overall, provides comparable safeguards to those in the Privacy Act, or we believe the overseas recipient is subject to the Privacy Act, or we believe that the overseas recipient is subject to privacy laws that, overall, provide comparable safeguards to those in the Privacy Act, or we believe that the overseas recipient is a participant in a prescribed binding scheme, or we believe that the overseas recipient is subject to privacy laws in a prescribed country or we otherwise believe that the overseas recipient is required to protect your personal information in a way that, overall, provides comparable safeguards to those in the Privacy Act (for example pursuant to a data transfer agreement entered into between us and the overseas recipient).

### Your rights and controlling your personal information

**Your choice:** Please read this Privacy Policy carefully. If you provide personal information to us, you understand we will collect, hold, use and disclose your personal information in accordance with this Privacy Policy. You do not have to provide personal information to us, however, if you do not, it may affect our ability to provide our Services to you and your use of our Services.

**Information from third parties:** If we receive personal information about you from a third party, we will protect it as set out in this Privacy Policy. If you are a third party providing personal information about somebody else, you represent and warrant that you have such person's consent to provide the personal information to us.

**Restrict and unsubscribe:** To object to processing for direct marketing/unsubscribe from our email database or opt-out of communications (including marketing communications), please contact us using the details below or opt-out using the opt-out facilities provided in the communication.

**Access and Correction:** Subject to certain grounds for refusal set out in the Privacy Act, you may request access to, and correction of, the personal information that we hold about you. Please contact us using the details below. We will deal with your request in accordance with the Privacy Act.

**Retention:** We will not keep your personal information for longer than is required for the purposes for which your personal information may lawfully be used.

**Complaints:** If you wish to make a complaint, please contact us using the details below and provide us with full details of the complaint. We will promptly investigate your complaint and respond to you, in writing, setting out the outcome of our investigation and the steps we will take in response to your complaint.

### Storage and security

We are committed to ensuring that the personal information we collect is secure. We have put in place suitable physical, electronic and managerial procedures, to safeguard and secure personal information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.

While we are committed to security, we cannot guarantee the security of any information that is transmitted to or by us over the Internet. The transmission and exchange of information is carried out at your own risk.

### Cookies

We may use cookies on our online Services from time to time. Cookies are text files placed in your computer's browser to store your preferences. Cookies, by themselves, do not tell us your email address or other personally identifiable information. However, they do recognise you when you return to our online Services and allow third parties, such as Google and Facebook, to cause our advertisements to appear on your social media and online media feeds as part of our retargeting campaigns. If and when you choose to provide our online Services with personal information, this information may be linked to the data stored in the cookie.

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 (including essential cookies) you may not be able to access all or parts of our online Services.

### Links to other websites

Our Services may contain links to other websites. We do not have any control over those websites and we are not responsible for the protection and privacy of any personal information which you provide whilst visiting those websites. Those websites are not governed by this Privacy Policy.

### Amendments

We may, at any time and at our discretion, vary this Privacy Policy by publishing the amended Privacy Policy on our website. We recommend you check our website regularly to ensure you are aware of our current Privacy Policy.

**For any questions or notices, please contact our Privacy Officer at:**

Kapow Design Limited, NZBN 9429047821019

Email: [kapowdesign.online@gmail.com](mailto:kapowdesign.online@gmail.com)

**Last update:** 04.08.2021

Privacy Policy from [LegalVision New Zealand](#).