

LOCAL COUNTRY-SPECIFIC TERMS TO THE GENESYS CLOUD SERVICES AGREEMENT

NEW ZEALAND SPECIFIC TERMS

v10312022

The following additional country or region-specific provisions will apply to Customer when accessing the Cloud Services from the referenced country or countries.

1. DEFINITIONS

Related Body Corporate: has the meaning set out in section 2(3) of the Companies Act 1993, provided that any reference in that section to a “company” is to include any body corporate irrespective of the place of incorporation or registration of that body corporate.

6. WARRANTIES

6.3 Consumer Guarantees. The parties agree that the services being provided under this Agreement are not normally acquired for personal or household use and, as such, the Consumer Guarantees Act 1993 does not apply.

10. CUSTOMER DATA

10.3 Privacy Program. Genesys will: (a) keep secure, manage and protect Customer Data in the possession or control of Genesys from time to time in accordance with its privacy program and as applicable, the Privacy Act 2020 (NZ); (b) take all reasonable technical and organizational measures (including encryption systems, anti-virus, security patches, updates, and upgrades) to avoid unauthorized or unlawful use, disclosure, accidental loss, destruction or damage of the Customer Data; (c) only use the Customer Data for the purposes of performing its obligations under the Agreement or otherwise as instructed by Customer from time to time; and (d) restrict access to the Customer Data to Genesys’ personnel, authorised subcontractors or Related Bodies Corporate who have a need-to-know the Customer Data for the performance of Genesys’ obligations under the Agreement.