

# Restricted Businesses - New Zealand

The updated: August 1<sup>st</sup> 2019

The following categories of businesses and business practices are restricted from using the smartAR Services ("Restricted Businesses"). Restricted Business categories may be imposed through Network Rules or the requirements of our Financial Services Providers. In certain cases, businesses listed below may be eligible for processing with explicit prior approval from smartAR. Note, however, that businesses that offer illegal products or services are never eligible to use the smartAR Services. The types of businesses listed in the right column are representative, but not exhaustive. If you are uncertain as to whether your business is a Restricted Business, or have questions about how these requirements apply to you, please contact us.

By registering with us, you are confirming that you will not use the Service to accept payments in connection with the following businesses, business activities, or business practices, unless you have received prior written approval from smartAR.

## **Financial and professional services**

### **Investment & credit services**

Securities brokers; mortgage consulting or debt reduction services; credit counselling or repair; real estate opportunities; lending instruments

### **Money and legal services**

Money transmitters, check cashing, wire transfers, money orders; currency exchanges or dealers; bail bonds; collections agencies; law firms collecting funds for any purpose other than to pay fees owed to the firm for services provided by the firm (e.g., firms cannot use smartAR to hold client funds, collection or settlement amounts, disputed funds, etc.)

### **Virtual currency or stored value**

Virtual currency that can be monetized, resold, or converted to physical or digital products and services or otherwise exit the virtual world (e.g., Bitcoin); sale of stored value or credits maintained, accepted and issued by anyone other than the seller

## **IP Infringement, regulated or illegal products and services**

### **Intellectual property or proprietary rights infringement**

Sales, distribution, or access to counterfeit music, movies, software, or other licensed materials without the appropriate authorization from the rights holder; any product or service that directly infringes or facilitates infringement upon the trademark, patent, copyright, trade secrets, or proprietary or privacy rights of any third party; use of smartAR intellectual property without express consent from smartAR; use of the smartAR name or logo including use of smartAR trade or service marks inconsistent with the smartAR Marks Usage Agreement, or in a manner that otherwise harms smartAR or the smartAR brand; any action that implies an untrue endorsement by or affiliation with smartAR

**Counterfeit or unauthorized goods**

Unauthorized sale or resale of brand name or designer products or services; sale of goods or services that are illegally imported or exported

**Gambling**

Lotteries; bidding fee auctions; sports forecasting or odds making; fantasy sports leagues with cash prizes; internet gaming; contests; sweepstakes; games of chance

**Regulated or illegal products or services**

Marijuana dispensaries and related businesses; sale of tobacco, ecigarettes, and e-liquid; online pharmacies; age restricted goods or services; weapons and munitions; gunpowder and other explosives; fireworks and related goods; toxic, flammable, and radioactive materials; products and services with varying legal status on a state-by-state basis; goods or services, the sale of which is illegal under applicable law in the jurisdictions to which your business is targeted or directed

**Adult content and services**

Pornography and other obscene materials (including literature, imagery and other media); sites offering any sexually-related services such as prostitution, escorts, pay-per view, adult live chat features

**Unfair, predatory, or deceptive practices****Get rich quick schemes**

Investment opportunities or other services that promise high rewards

**Mug shot publication or pay-to remove sites**

Platforms that facilitate the publication and removal of content (such as mugshots), where the primary purpose of posting such content is to cause or raise concerns of reputational harm

**No-value added services**

Sale or resale of a service without added benefit to the buyer; resale of government offerings without authorization or added value; sites that we determine in our sole discretion to be unfair, deceptive, or predatory towards consumers

**Products or services that are otherwise restricted by our financial partners****Aggregation**

Engaging in any form of licensed or unlicensed aggregation of funds owed to third parties, factoring, or other activities intended to obfuscate the origin of funds

**Drug paraphernalia**

Any equipment designed for making or using drugs, such as bongs, vaporizers, and hookahs

### **High risk businesses**

Bankruptcy lawyers; computer technical support; psychic services; travel reservation services and clubs; airlines; cruises; timeshares; prepaid phone cards, phone services, and cell phones; telemarketing, telecommunications equipment and telephone sales; drop shipping; forwarding brokers; negative response marketing; credit card and identity theft protection; the use of credit to pay for lending services; any businesses that we believe poses elevated financial risk, legal liability, or violates card network or bank policies; any business or organization that a. engages in, encourages, promotes or celebrates unlawful violence or physical harm to persons or property, or b. engages in, encourages, promotes or celebrates unlawful violence toward any group based on race, religion, disability, gender, sexual orientation, national origin, or any other immutable characteristic

### **Multi-level marketing**

Pyramid schemes, network marketing, and referral marketing programs

### **Pseudo pharmaceuticals**

Pharmaceuticals and other products that make health claims that have not been approved or verified by the applicable local and/or national regulatory body

### **Social media activity**

Sale of Twitter followers, Facebook likes, YouTube views, and other forms of social media activity

### **Substances designed to mimic illegal drugs**

Sale of a legal substance that provides the same effect as an illegal drug (e.g., salvia, kratom)

### **Video game or virtual world credits**

Sale of in-game currency unless the merchant is the operator of the virtual world

### **Use of smartAR in a manner inconsistent with its intended use or as expressly prohibited in the smartAR Services Agreement**

Use of smartAR principally as a virtual terminal (e.g., submitting card transactions by manually inputting card information); processing where there is no bona fide good or service sold, or donation accepted; card testing; evasion of card network chargeback monitoring programs; sharing cardholder information with another merchant for payment cross-sell product or service

If you have any questions about supported businesses, don't hesitate to get in touch.