

PRIVACY POLICY



May 2018

Spot Capital Markets Ltd

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1 | INTRODUCTION

Spot Capital Markets Ltd (the “Company”, “we”, “us”, “our”, “ours”) is fully committed to safeguarding the privacy of our website visitors and service users (“you”, “your”, “yours”, “yourself”).

This Privacy Policy (the “Policy”) applies where the Company collects personal data via our website(s) and applications, as well as when you use and/or interact with our services via any correspondence between you and us by telephone, e-mail, chat, or otherwise.

This Policy aims to inform you about the type of personal information we collect, the purpose we collect it, with whom it is shared with, how we safeguard it, and what your data privacy rights are.

2 | USE OF PERSONAL DATA

2.1 General Categories of Personal Data Processed

If you are an actual or potential client, we may collect the following types of personal information from you when you apply for our products and services and/or create an account on our website and/or subscribe to our or related third party services or publications and/or request marketing to be sent to you and/or give us feedback:

- ❖ Name, address and contact details
- ❖ Date of birth and gender
- ❖ Financial information
- ❖ Tax statements
- ❖ Employment details
- ❖ Trading performance
- ❖ Trading behaviour
- ❖ Transactions with us
- ❖ Any other similar information

Additionally, we may record any electronic or telephonic correspondences that we have with you in relation to our services and our business relationship with you. These recordings will be our sole property and will constitute evidence of the correspondences between us.

2.2 Personal Data Collected Automatically or Indirectly

We may collect personal information about you via your use of our website(s) and applications through the use of cookies, in particular, by recording which pages you look at on our website(s). Additionally, we may collect automatically information including your:

- ❖ IP address
- ❖ Device type
- ❖ Unique device identification number
- ❖ Browser type

- ❖ Broad geographic location
- ❖ Any other technical information

Furthermore, we may receive personal information about you from third parties, only where we have confirmed that these third parties either have your consent or are otherwise legally permitted or required to disclose your personal information to us.

Collecting this information enables us to obtain a better understanding of our website(s) users and visitors, in order to analyse them so as to improve the quality of our services and relevance of our website(s) to our users and visitors.

3 | PURPOSES FOR PROCESSING PERSONAL DATA

3.1 Provision and Delivery of our Products and Services

For purposes of servicing you as a client, we will collect such personal information necessary to onboard you as a new client, providing you access to your trading account, facilitating your deposits and withdrawals, as well as to respond to your enquiries.

3.2 Administration of our Business and Operations

For purposes of administering our operations and business activities, we will collect such personal information necessary to review and improve our processes, test any new products and services, carry out internal and external audits, manage our risk exposures, to collect funds owed to us, as well as for purposes of establishing new relationships with other entities that provide services to you.

3.3 Prevention of Financial Crime and Responding to Legal and Regulatory Requirements

For purposes of managing risk, preventing financial crime and responding to legal claims and regulatory requirements, we will collect such personal information necessary to detect, investigate, monitor and report, so as to prevent any form of financial crime, including credit card fraud, money laundering and terrorist financing. Furthermore, to manage risks related to you and us, to be compliance with applicable legal and regulatory requirements, to respond to complaints so as to resolve them, performing due diligence on you throughout our business relationship, and to submit information to competent authorities as per our regulatory obligations and/or for investigatory purposes.

3.4 Marketing

For purposes of our marketing activities, we will collect such personal information in order to develop and carry out our marketing activities and to provide guidance related to the products and services we provide.

4 | LEGAL BASES OF PROCESSING PERSONAL DATA

Our lawful bases for collecting and using the aforementioned personal information will depend on the type of personal information concerned and the specific context in which it is collected. However, all personal information we collect from you is upon your consent, where we need to

establish our contractual relationship, and/or where the processing is in our legitimate interests ensuring we never override your own data protection interests or fundamental rights and freedoms. Furthermore, we may have a legal or regulatory obligation to collect and/or use personal information from you. Where the collection and/or use of your personal information is a legal and/or regulatory requirement, we will make this clear at the relevant time and advise you whether the provision of such personal information is mandatory or not (as well as of the possible consequences of not providing it).

Additionally, where we collect and use your personal information for our legitimate interests, we will make it clear to you at the relevant time and clarify what those legitimate interests are.

5 | SAFEGUARDING PERSONAL DATA

We always take appropriate measures, both technical and organizational, so as to ensure that your information is properly safeguarded. In particular, we train our staff to handle your personal information confidentially and with respect, and impose penalties, including dismissals, in the event of a privacy breach.

Additionally, we have appointed a Data Protection Officer, to ensure that the management and safeguarding of your personal information is in accordance with this Policy and with applicable European legislation.

Furthermore, we implement the following safeguarding measures:

- ❖ Keep personal information in secure facilities and/or secure servers, where applicable
- ❖ Use encrypted transmission links, where applicable
- ❖ Use firewalls, passwords, and access control mechanisms to control authorised access to our systems and data
- ❖ Regularly review our systems and controls relevant to the information we collect, how we store and process it, including physical security measures
- ❖ Apply our Access Rights Policy to our employees, contracting parties and tied agents who need to know that information in order to process it for us and who are subject to strict contractual confidentiality obligations. We may discipline and/or terminate individuals and contracting parties who maliciously acquire information, without being entitled to its access.

6 | DATA RETENTION

We retain your personal information for as long as it is necessary to carry out the purposes of this Policy, unless longer retention is required by law. However, we will not retain any of your personal information beyond this period, which will be subject to periodic review.

7 | INTERNATIONAL TRANSFERS

We may transfer your personal information outside the European Economic Area to other Group Companies, or processors who are engaged on our behalf. To the extent we transfer your information outside the European Economic Area, we will ensure that the transfer is lawful and properly safeguarded.

8 | YOUR RIGHTS

Under the data protection laws, you have the following principal rights:

- ❖ Right to access
- ❖ Right to rectification
- ❖ Right to deletion
- ❖ Right to restrict its processing
- ❖ Right to object to its processing
- ❖ Right to data portability
- ❖ Right to complain to a supervisory authority
- ❖ Right to withdraw consent

If you are unhappy with the way we have handled your personal data or any privacy query or request that you have raised with us, you have a right to complain to the Office of the Commissioner for Personal Data Protection in Cyprus. If you would like to be directed to the Office of the Commissioner, please contact us at compliance@spotcapitalmarkets.com

9 | REVIEW OF THIS POLICY

We may update this Policy from time to time to respond to updates in legal, technical, or business requirements and developments. We will take appropriate measures to inform you of any changes implemented.