

Privacy Policy

XTRADE EUROPE LTD

Last updated September 2018

The Company, Xtrade Europe Ltd. [*Xtrade Europe Ltd its brand – XTRADE and the related trading platform and website, www.xtrade.eu*] (hereinafter referred to as the "Company") is concerned with protecting the privacy of any personal information that you may choose to provide to us ("Personal Data "as hereinafter defined). The Company will attempt to ensure that the use of your Personal Data is compliant with the General Data Protection Regulation (EU) 2016/679 ("GDPR"). Accordingly, Company issues this policy to inform you of our use of your Personal Data.

Company is committed to providing a safe, responsible and secure environment.

1. Introduction

1.1 This Privacy Policy sets out the way in which Company ("we" or "us), being the **'Controller'** of your Personal Data, determines the purposes and means of the Processing of your Personal Data and/or authorizes another natural or legal person, public authority, agency or other body to process your Personal Data on its behalf (the **'Processor'** of your Personal Data) , as well as the steps we take to protect such data.

1.2 By utilizing our Services, you acknowledge that you have read, and agree to, the terms of this Privacy Policy and that you consent to our use of your Personal Data for the purposes set out in paragraph 3 of this Privacy Policy. If you do not wish to provide your Personal Data on the basis set out in this Privacy Policy, you should not enter the relevant information on the Website or provide your Personal Data to us otherwise. However, if you do not provide your Personal Data, you may not be able to use all of the Services we offer.

1.3 This website www.xtrade.eu is operated by Company "*Xtrade Europe Ltd*" registered at Vasileos Konstantinou 140, 3080, Limassol, Cyprus.

1.4 Definitions:

1.4.1 "You" or the "Data Subject" means the user who is using the Company's services and who may choose to provide his/her Personal Data to the Company and/or whose Personal Data may be subject to Processing (as hereinafter defined)

1.4.2 Personal Data" means any information relating to an identified or identifiable natural person ('Data Subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. "Processing" means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

1.4.3 "Visitor" means an individual other than a user, who uses the public area, but has no access to the restricted areas of the Site or Service.

1.5 Principle:

This policy is based on the following data protection principles:

- The processing of personal data shall take place in a lawful, fair and transparent way ;
- The collecting of personal data shall only be performed for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- The collecting of personal data shall be adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed;

- The personal data shall be accurate and where necessary, kept up to date;
- Every reasonable step shall be taken to ensure that personal data that are inaccurate having regard to the purposes for which they are processed, are erased or rectified without delay;
- Personal data shall be kept in a form which permits identification of the data subject for no longer than it is necessary for the purpose for which the personal data are processed;
- All personal data shall be kept confidential and stored in a manner that ensures appropriate security;
- Personal data shall not be shared with third parties except when necessary in order for them to provide services upon agreement;
- Data subjects shall have the right to request access to and rectification or erasure of personal data, or restriction of processing, or to object to processing as well as the right of data portability, as long as such requests do not conflict with the laws of the Republic of Cyprus.

2. The information we collect

2.1 As part of providing you with the Services, we collect your Personal Data on registering an account. "Personal Data" means any information from which you can be personally identified.

(a) we may collect, store and use information about your computer, mobile device or other item of hardware through which you access the Website and your visits to and use of the Website (including without limitation your IP address, approximate location (to the extent IP address data provides such information), browser/platform type and version, operating system, referral source/exit pages, length of visit, page views, website navigation and search terms that you use;

(b) when you contact us by email or telephone or through any form provided on the Website, and/or if you choose to subscribe to our services, we may ask you to provide some or all of the below information, because as an investment firm licensed and regulated in Cyprus by CySEC is obliged to collect the personal data about its clients and partners:

- ✓ Contact details, including mailing address, telephone number and e-mail address;
- ✓ Personal identification data that we are required by law to collect, including your first name and surname, ID/Passport Number, Country of citizenship and Country of residence, Tax Domicile, Tax ID (if applicable), image;
- ✓ Information required by law to assess your trading experience and risk tolerance, including your annual income, net worth and available risk capital; and
- ✓ We also collect demographic and financial information when you open an account, including Date of birth, occupation, employment status, education, general bank information, information on the bank account number and bank debit or credit card for payments, copy of your bank debit or credit card, amount and source of funds, net worth.

(c) We shall collect a copy of your passport, director and shareholder information and evidence of proof of address for purposes of compliance with our own Cypriot and European legislation. To the extent that we may need to collect and process documentation on behalf of our contributing companies to assist them with complying with various statutory requirements including without limitation anti-money laundering procedures, we may be required to provide the collected copy of your passport, director and shareholder information and evidence of proof of address to them. These documents contain various elements of personal and company information.

(d) you may be given opportunities or requests to provide us with other information from time to time;

We collect your personal information in most cases directly from you. We may also collect information from third parties such as our partners, service providers such as Thomson Reuters (World-Check) and publicly available websites (i.e. social media platforms), to comply with our legal and regulatory obligations, offer Services we think may be of interest, to help us maintain data accuracy and provide and enhance the Services.

3. How we will use your Personal Data

3.1 We will process your Personal Data in accordance with the GDPR and to provide you with the Services. Processing of your personal data is based on Art. 6, para. 1b) and c) of the GDPR. It is necessary for the performance of the contract you are concluding with us by opening an account on our website as well as for compliance with a legal obligation to which Xtrade Ltd is a subject being an investment firm licensed and regulated in Cyprus by CySEC.

We will process your Personal Data to enable us:

- (a) to verify your identity in order to comply with the current Cypriot and European AML legislations, and with the obligations we have towards CySEC to perform the obligatory KYC verifications and compliance procedures.
- (b) to establish your trading account, issue you an account number and a secure password, maintain your account activity and contact you with account information, among other reasons. This information also helps us improve our services to you, customize your browsing experience and inform you about additional products, services or promotions that may be of interest to you.
- (c) to provide our services to you and enable you to use them;
- (d) to assist third party companies with providing their services to you;
- (e) to manage and administer the website and platform;
- (f) to send you newsletters and other relevant and targeted promotional communications;
- (g) to notify you of changes we have made or plan to make to the Website and / or platform;
- (h) to send you emails as necessary;
- (i) to request feedback from you on any transaction effected by you through our platform;
- (j) to deal with enquiries, complaints and feedback from you and our service providers;
- (k) to provide third parties with statistical anonymized information about our users;
- (l) to analyze and improve the services offered on the Website.

3.2 If at any time you wish us to stop processing your Personal Data for the above purposes, then you must contact us and we will take the appropriate steps to stop doing so. Please note that this may mean that your Account will be closed. You may contact us by sending an email to compliance@xtrade.com

3.3 To ensure a good quality of service, and in compliance with our legal obligations, we need to monitor any communication you have with us whether in writing or by electronic mail (“recordings”) or any inbound and outbound calls done by any member of the Company. Any recordings remain the property of the Company and will be used only for the purposes listed above.

3.4 In the event that the purposes for processing change, then we will notify you as soon as practicable and seek any additional consent that may be required.

3.5 All your personal data is retained 5 years after the deactivation of your account. In some cases, when the regulator – the CySEC requires, we may retain your data for maximum 7 years after the deactivation of your account.

Should you close your account with us, Xtrade Europe Ltd. will retain your information, but only use it to comply with regulatory requirements and legal obligations.

4. Disclosing your Personal Data

4.1 Except to the extent required by any applicable law or governmental or judicial body, we will only disclose such of your personal data to our third-party companies as is required for us or them to perform our or their services to you.

4.2 Except as described in 4.1, we will not intentionally disclose the Personal Data that we collect or store on the Service to third parties without your prior explicit consent.

4.3 We will use all reasonable endeavours to ensure that any companies to whom we disclose your confidential information is compliant with the GDPR (or an equivalent standard) as regards its use and storage of your Personal Data.

4.4 In the event that we sell or buy any business or assets, we may disclose your personal data and transaction data to the prospective seller or buyer of such business or assets. If substantially all of the assets of the Company are acquired by a third party, personal data and transaction data held by it about its customers will be one of the transferred assets.

4.5 We will disclose your Personal Data if we are under a duty to disclose or share your personal data and transaction data in order to comply with any legal obligation, or in order to enforce or apply our Terms and Conditions and other agreements; or to protect the rights, property, or safety of the Company, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

4.6 If at any time you wish us to stop processing your Personal Data for the above purposes, then you must contact us and we will take the appropriate steps to stop doing so, to the extent we are permitted by law. Please note that this may mean that your Account will be closed. You may contact us at compliance@xtrade.com

5. Data Subject Rights

5.1 We respect your privacy rights and provide you with reasonable access to the Personal Data that you may have provided through your use of the Services. Your principal rights under the GDPR are as follows:

- a. the right for information;
- b. the right to access;
- c. the right to rectification;
- d. the right to erasure; the right to be forgotten;
- e. the right to restrict processing;
- f. the right to object to processing;
- g. the right to data portability;
- h. the right to withdraw consent;

You shall have the right to exercise any of those rights, as long as such requests do not conflict with the laws of the Republic of Cyprus.

If you want to exercise any of those rights, you should contact our Data Protection Officer (DPO) through the contact information listed below: dpo.cyprus@xtrade.com

Phone number: +357 25030742

You should put your request in written with your own words and send it to the DPO by e-mail. We will acknowledge your request within seventy-two (72) hours and handle it promptly. We are going to process and reply to your request within a month, with a possibility to extend this period for particularly complex requests in accordance with Applicable Law. We will retain your Personal Data for as long as your account is active, as needed to provide you services, or to comply with our legal obligations, resolve disputes and enforce our agreements.

You may contact Xtrade for any reason under this Privacy Statement, or otherwise, as follows:

Contacts "Xtrade": Address: Vasileos Konstantinou 140, 3080, Limassol, Cyprus, Tel. No. +357 25030742, Fax. No. + 357 25030727, Email: dpo.cyprus@xtrade.com

- a. the right to lodge a complaint with a supervisory authority which is the Commission for personal data protection in Cyprus you may exercise through the contact information listed below:

DATA COMMISSIONER OF THE REPUBLIC OF CYPRUS

Address:

1 Iasonos str., 1082 Nicosia
P.O.Box 23378, 1682 Nicosia
(t) +357 22818456
(f) +357 22304565
(e) commissioner@dataprotection.gov.cy

(w)

http://www.dataprotection.gov.cy/dataprotection/dataprotection.nsf/home_en/home_en?opendocument

5.2 You may decline to share certain Personal Data with us, in which case we may not be able to provide to you some or all of the features and functionality of the Service.

5.3 At any time, you may object to the processing of your Personal Data, on legitimate grounds, except if otherwise permitted by applicable law.

5.4 In accordance with Applicable Law, we reserve the right to withhold personal data if disclosing it would adversely affect the rights and freedoms of others.

5.5 We may use your personal data for the purposes of automated decision-making, including profiling. When such processing takes place, we will request your explicit consent and provide you with the option to opt-out. We will use automated decision making in order to fulfill obligations imposed by law, for instance, for determining the appropriate maximum leverage at which you will be permitted to trade, for which you may not receive explicit notification. You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you and/or significantly affects you. at any time by contacting us at compliance@xtrade.com. Subject to GDPR Article 22(1)-(4), you cannot exercise your right to object to the processing of your personal data for automated decision-making purposes if the decision:

- is necessary for entering into, or performance of, a contract between you and the Company.

- Is authorized by Union or Member State law to which the Company is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or
- is based on your explicit consent.

6. Contacting us

6.1 For full details about the Company group members and where they operate please contact us at:

- Tel. No. +357 25030742
- Fax. No. + 357 25030727

6.2 If at any time you believe that we have not adhered to this Privacy Policy, please contact us at compliance@xtrade.com, and we will seek to promptly determine and correct the problem.

7. Advertising and Use of Cookies

We collect browser and cookie information when you first navigate to our websites. We use cookies to give you a better customer experience and for use of access. Certain cookies will allow you to leave and re-enter our Websites without re-entering your password. This will be monitored by a web server.

For more information on the use of cookies and how you can control their use, please refer to our [cookies policy](#).

7.1 If you register with us or if you continue to use the Website, you agree to our use of cookies.

7.2 You further agree to use the Website and our services only for lawful purposes.

7.3 From time to time you may find links to third party websites on the Website. These links are provided for your information only and are not recommended by www.xtrade.eu.

Company has no control over the content of third party sites and accepts no responsibility or liability for them or for any loss or damage that may arise from your use of them. When accessing a third party website, you are advised to check such website's terms of service and privacy policy to ensure compliance with applicable laws.

8. Minors and Children's Privacy

8.1 Protecting the privacy of minors is especially important. Our Service is not directed to children under the age of 18, and we do not knowingly collect Personal Data from children under the age of 18. If you are under 18 years of age, then please do not use or access the Service at any time or in any manner. If we learn that Personal Data has been collected on the Service from persons under 18 years of age, then we will take the appropriate steps to delete this information. If you are a parent or guardian and discover that your child under 18 years of age has obtained an Account on the Service, then you may alert us at compliance@xtrade.com and request that we delete your child's Personal Data from our systems.

9. Security

9.1 We take appropriate security measures to protect against loss, misuse and unauthorized access, alteration, disclosure, or destruction of your information. Company has taken steps to ensure the ongoing confidentiality, integrity, availability, and resilience of systems and services processing personal information, and will restore the availability and access to information in a timely manner in the event of a physical or technical incident.

9.2 No method of transmission over the Internet, or method of electronic storage, is 100% secure. We cannot ensure or warrant the security of any information you transmit to us or store on the Service, and you do so at your own risk. We also cannot guarantee that such information may not be accessed, disclosed, altered, or

destroyed by breach of any of our physical, technical, or organizational safeguards. If you believe your Personal Data has been compromised, please contact compliance@xtrade.com.

9.3 If we learn of a security systems breach, we will inform you of the occurrence of the breach in accordance with applicable law.

10. Privacy Settings

10.1 Although we may allow you to adjust your privacy settings to limit access to certain Personal Data, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users with whom you may choose to share your information. We cannot and do not guarantee that information you post on or transmit to the Service will not be viewed by unauthorized persons. We have taken the necessary steps to protect your Personal Data as much as possible in transit by utilizing physical, electronic, and procedural safeguards to guard your personal data.

When you open an account with us, you are issued a unique account number and a password. Only a limited number of Xtrade Ltd. employees who have a need to know this information will have access to it in accordance with our internal regulations. Remember that you are ultimately responsible for maintaining the secrecy of your account login information. We strongly recommend that you do not disclose this information to anyone.

On our websites and online account application we use technology to encrypt information transmitted by or to you. We use SSL certificates to authenticate our websites and secure trading and customer-facing applications, allowing you to verify that you are connected to our websites. Our servers are encrypted so is the communication in our internal network. We conduct regular internal audits of our business practices and procedures, examining confidentiality standards and information access in order to protect your Personal Data.

Changes to this Privacy Statement and Opting Out In the event Xtrade Ltd. materially changes this Privacy Statement, the revised Privacy Statement will promptly be posted to our websites and you will receive an internal message in your personal account on the trading platform as well as an e-mail.

11. Data Retention and International Transfers

11.1 The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

11.2 All information you provide to us is stored on our secure servers.

11.3 Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted through our Website; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

11.4 We transmit personal data, encrypted with TLS 1.2 for web transactions, and an AES256 for DB encryption which is sufficient to ensure the utmost possible security to your information during the transmission. HTTPS (TLS / SSL) email access is another method by which we provide maximum security for your personal data. We maintain physical, electronic and procedural safeguards in connection with the collection, storage and disclosure of personally identifiable customer information. Our security procedures mean that we may occasionally request proof of identity before we disclose personal information to you.

12. Data Protection Officer

12.1. Company has appointed a Data Protection Officer (“DPO”) who is responsible for matters relating to privacy and data protection.

Company's DPO can be reached at:

dpo.cyprus@xtrade.com

Phone number: +357 25030742

We will process and reply to your request in 30 days.

13. Changes to this Privacy Policy

13.1 Please note that this Privacy Policy may change from time to time. If we change this Privacy Policy in ways that affect how we use your Personal Data, we will advise you of the choices you may have as a result of those changes. We will also post a notice that this Privacy Policy has changed.