



Privacy Policy Statement

4 November 2023

Privacy Policy Statement

This Privacy Statement is made on behalf of Xtrade.AU Pty Ltd (ACN 140 899 476, AFSL no: 343628) (**Xtrade.AU**).

Xtrade.AU (**we, us** or **our**) is committed to protecting your privacy and complying with the Australian Privacy Principles (**APPs**) contained in the *Privacy Act 1988* (Cth) (**Privacy Act**). If you have any questions relating to this Privacy Statement or your privacy rights please contact us.

Purpose

The purpose of this Privacy Statement is to set out how we collect, use, disclose and protect personal information in Australia in accordance with the Privacy Act and APPs, *Privacy Regulation 2013* (Cth) and applicable Office of the Australian information Commissioner (**OAIC**) guidelines.

We are committed to ensuring the privacy of your information and recognise that you, as a customer, are concerned about your privacy and the confidentiality and security of information that Xtrade.AU may hold about you.

This Privacy Statement is designed to inform you of:

- the kinds of personal information we collect and hold;
- how we collect and hold personal information;
- the purposes for which we collect, hold, use and disclose personal information;
- your rights as to how we use information about you, including how you can:
 - object to certain uses of information about you; and
 - access and update certain information about you;
- our processes for storing and securing your personal information;
- how we may disclose your personal information to overseas recipients (in international data transfers); and
- how you may contact or make a complaint about us (if you believe or are concerned that we have breached an APP) and how we will deal with such a complaint.

Personal Information

Personal information is information or an opinion about an individual whose identity is apparent, or can reasonably be ascertained, from such information or opinion. Xtrade.AU will also collect any personal information necessary for the purposes of complying with the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) (**AML/CTF Act**).

If the information related to you cannot be identified as being related to you (such as if we have aggregated and anonymised your personal information), then this Privacy Statement does not apply.

The information we collect from you will depend on what services we provide to you and may include (without limitation) your:

- name;
- residential/ postal address;
- email address;
- telephone number;
- facsimile number;
- date of birth;
- bank account details;
- tax file number (TFN); and
- information relating to the provision of identification and verification documentation.

Open and transparent management of personal information

Xtrade.AU seeks to ensure that personal information we hold about an individual is managed in a clear, open and transparent manner. We have implemented procedures to ensure compliance with applicable regulatory requirements, including the APPs, and to deal with any complaints relating to our compliance practices.

Collection of personal information

Xtrade.AU only collects personal information by lawful and fair means, which is reasonably necessary for the provision of our services, when you provide it to us or when you use our website.

Information you provide directly

We generally ask for your personal information when you complete our account application forms (in which we will advise the purposes for which we collect such information). Providing personal information is optional, but we may not be able to provide you with our services without it.

Additionally, we may ask to collect demographic information from you when you open an account, such as your education and occupation. We may also request information on your trading experience, approximate annual income and approximate net worth to assess your financial position.

Information we collect automatically

We may also collect information about you from our web site but this information will only identify who you are if you provide us with your details (eg. if you e-mail your contact details to us).

When you visit our web site our web server collects the following types of information for statistical purposes:

- your internet service provider's address;
- the number of users who visit the web site;
- the date and time of each visit;
- the pages accessed and the documents downloaded; and
- the type of browser used.

No attempt is made to identify individual users from this information.

The Xtrade.AU web site contains links to the web sites of third parties. If you access those third-party web sites they may collect information about you. Xtrade.AU does not collect information about you from the third parties. You will need to contact them to ascertain their privacy standards.

Cookies

A cookie is a small text file placed on your computer hard drive by a web page server. Cookies may be accessed later by our web server. Cookies store information about your use of our web site. Cookies also allow us to provide you with more personalised service when using our web site.

Xtrade.AU uses cookies to:

- determine whether you have previously used the Xtrade.AU web site;
- identify the pages you have accessed; and
- facilitate administration of the site and for security purposes.

Most web browsers are set to accept cookies but you may configure your browser not to accept cookies. If you set your browser to reject cookies you may not be able to make full use of the Xtrade.AU web site.

We may share web site usage information about visitors to the web site with reputable advertising companies for targeting our internet banner advertisements on the web site and other sites. For this purpose, pixel tags (also called clear gifs or web beacons) may be used to note the pages you have visited. The information collected by the advertising company through the use of these pixel tags is not personally identifiable.

To administer and improve our Web site, we may use a third party to track and analyse usage and statistical volume information, including page requests, form requests, and click paths. The third party may use cookies to track behaviour and may set cookies on behalf of us. These cookies do not contain any personally identifiable information.

E-mail address

If you provide us with your e-mail address during a visit to our web site it will only be used for the purpose for which you provided it to us. It will not be added to a mailing list without your consent unless the mailing list is related to the purpose for which you provided your e-mail address to us. We may use your e-mail address, for example, to provide you with information about a particular service or respond to a message you have sent to us.

If you subscribe to one of our services and provide your e-mail address to us so that we may communicate with you through e-mail, we may also use your e-mail address to advise you of upgrades and changes to those services.

Unsolicited personal information

Where we receive personal information about an individual which is unsolicited by us and not required for the provision of our services, we will destroy the information (to the extent it is lawful and reasonable for us to do so).

Notification of the collection of personal information

When we obtain personal information about you, we ensure that you have our contact details and are aware of our collection and purposes for collecting such information. We do not disclose your

information to third parties, unless they are related entities or services providers, in which case they are required to conform to our procedures.

Use and disclosure of personal information

Xtrade.AU collects and holds personal information about you for the purposes of providing financial services to you. We collect this information with your consent in our application forms and/ or other documentation, for which the primary purpose of collecting your information is disclosed to you at the time of collection.

However, in certain cases, Xtrade.AU will use or disclose personal information for secondary purposes (in addition to the primary purpose). Personal information obtained to provide financial services may be applied to a secondary purpose if the secondary purpose is related to the primary purpose of collection and it is reasonable to expect the personal information to be used or disclosed for such secondary purpose.

Additionally, we may ask you to consent to our collection, use or disclosure of your personal information for any one or more of the purposes set out below:

- processing your account application;
- responding to any specific requests you may make of us;
- notifying you of any products that may be of interest to you;
- auditing and monitoring the services we provide to you;
- updating your personal files;
- sharing the information with our:
 - agents, contractors or third-party service providers, to enable them to provide administrative and other support services to us; and/ or
 - affiliates, if the information is required to provide the product or service you have requested, or to provide you with an opportunity to participate in their products or services;
- enabling us to meet our obligations under law, for example, the AML/CTF Act and Australian taxation laws.

Your consent will usually be required in writing but we may accept and rely on your verbal consent in some circumstances. We may also disclose your personal information where it is required or authorised by law (such as to government agencies and regulatory bodies for law enforcement purposes).

To help us improve our services to you, we may engage another business to help us to carry out certain internal functions such as account processing, fulfillment, client service, client satisfaction surveys or other data collection activities relevant to our business. We may also provide a party with client information from our database to help us to analyse and identify client needs and notify clients of product and service offerings. Use of the information shared is strictly limited to the performance of the task we request and for no other purpose.

Xtrade.AU requires any party that has access to personal information to conform to our privacy standards.

You may direct us not to disclose your personal information to certain non-affiliated third parties. To opt out of sharing personal information with non-affiliated third parties, please contact a client service representative. An opt out election made by one account owner of a joint account is applicable to all account owners of the joint account. An opt out election must be made for each separate account you hold with us.

Direct Marketing

Xtrade.AU will only use personal information obtained for the provision of financial services, for the secondary purpose of direct marketing where:

1. Xtrade.AU has collected your personal information;
2. you would reasonably have expected Xtrade.AU to use or disclose the information for the purpose of direct marketing;
3. Xtrade.AU provides a simple means through which you can request to not receive marketing communications; and
4. you have not requested that such communications cease.

Often the law requires us to advise you of certain changes to products/ services or regulations. You will continue to receive this information from us even if you choose not to receive direct marketing information from us. We will not disclose your information to any outside parties for the purpose of allowing them to directly market to you.

Cross border disclosure/Sensitive information/Use of government identifiers/Anonymity & Pseudonymity

Xtrade.AU does not, for the purposes of the Privacy Act, collect sensitive information. Wherever lawful and practicable, individuals may deal anonymously with Xtrade.AU but given the nature of our services, it is unlikely that this will be a viable option. Xtrade.AU does not use official identifiers (e.g. tax file numbers) to identify individuals. An individual's name or Australian Business Number is not an identifier for the purposes of the Privacy Act and hence may be used to identify individuals.

Xtrade.AU does share/transfer personal information to its related entities overseas.

Quality of personal information

Xtrade.AU takes all reasonable steps to ensure the personal information held about individuals is accurate, up-to-date and complete. We verify personal information at the point of collection. The accuracy of records is also maintained by regular mail-out of statements.

Xtrade.AU encourage you to help us by telling us immediately if you change your contact details (such as your phone number, street address or email address) or if any of your details need to be corrected or updated. A person wishing to update their personal information may contact our staff on compliance@xtrade.com.au.

Access to personal information

Where a person requests access to their personal information, our policy is to permit access, , subject to certain conditions (as outlined below). Xtrade.AU will correct personal information where that information is found to be inaccurate, incomplete or out of date. We will not charge you a fee for your access request but may charge you the reasonable cost of processing your request.

If a person wishes to access their personal information or correct it, they should contact the Privacy Officer, and we will seek to provide such information within a reasonable period of time, and in the manner so requested (where reasonable to do so).

Xtrade.AU may not always be able to give you access to all the personal information we hold about you. If this is the case, we will provide a written explanation of the reasons for our refusal, together with details of our complaints process for if you wish to challenge the decision.

We may not be able to give you access to your personal information where:

- a. we reasonably believe this may pose a serious threat to the life, health of safety of any individual or to public health/safety;
- b. it would unreasonably impact the privacy of another individual;
- c. such request is reasonably considered to be frivolous or vexatious;
- d. it relates to existing or anticipated legal proceedings which would otherwise not be accessible in the discovery process relating to such proceedings;
- e. it would reveal our intentions and thereby prejudice our negotiations with you;
- f. it would be unlawful;
- g. it is prohibited by law or a court/tribunal order;
- h. it relates to suspected unlawful activity or serious misconduct, and access would likely prejudice the taking of appropriate action in relation to such activity/ misconduct;
- i. enforcement activities conducted by or on behalf of an enforcement body may be prejudiced; or
- j. access would reveal details regarding a commercially sensitive decision-making process.

Correction of personal information

Where:

- Xtrade.AU believes personal information we hold about you is inaccurate, out-of- date, incomplete, irrelevant or misleading; or
- you request us to correct personal information held about you,

Xtrade.AU will take all reasonable steps to correct such information in a reasonable time frame. No fees are payable for such requests. If you request us to similarly advise a relevant third party of such correction, we will facilitate that notification unless impracticable or unlawful for us to do so.

If Xtrade.AU intends to refuse to comply with your correction request, we will notify you in writing of our reasons for such refusal, and the complaints process you may avail if you wish to challenge that decision. You may also request that we associate the personal information we hold with a statement regarding your view of its inaccuracy.

Security of personal information

We take reasonable steps and precautions to keep personal information secure from loss, misuse, and interference, and from unauthorised access, modification or disclosure.

If you use the internet to communicate with us, you should be aware that there are inherent risks in transmitting information over the internet. Xtrade.AU does not have control over information while in transit over the internet and we cannot guarantee its security.

Where information is no longer required to be held or retained by Xtrade.AU for any purpose or legal obligation, we will take all reasonable steps to destroy or de-identify the information accordingly.

Privacy Complaints

If you have a complaint relating to our compliance with privacy laws or our treatment of your personal information, please contact us at compliance@xtrade.com.au. We will investigate your complaint and endeavour to resolve the issue to your satisfaction. If you are not satisfied with the outcome of your complaint, you have the right to lodge a complaint with the Office of the Australian Information Commissioner by telephoning 1300 363 992 or visiting their website at www.oaic.gov.au

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