

## **FINVASIA CAPITAL LTD**

### **PRIVACY POLICY**

#### **1. Our Commitment to You**

Finvasia Capital Ltd (hereafter “the Company”, “We”, “Us”) take your privacy very seriously. We understand the importance of maintaining the confidentiality and privacy of your personal data and information. By entrusting us with your personal data and information, we would like to assure you of our commitment to keep such information private. We have taken measurable steps to protect the confidentiality, security and integrity of your personal data and information. This Privacy Policy provides an overview of how Finvasia Capital Ltd, a private limited company incorporated and validly existing under the laws of Mauritius, with registration number no. C161819 (the “Company”) and holder of an Investment Banking license issued by the by Financial Services Commission, Mauritius (“FSC”) with license number IK21000018, processes individuals’ personal data and sets out the information that the Company must provide to such individuals and/or natural persons.

By accessing our Company’s website including using any of the communication channels to contact us, we consider that you have read, understood and accepted the terms of this Privacy Policy and how we process any information you disclose to us. By providing us with your personal information and using our services, you are accepting and consenting to the practices described in this Policy. This Policy also explains your rights in relation to your personal information and how to contact us or the supervisory authority in the event you have a complaint. Moreover, you agree that this Privacy Policy, including any amendments from time to time, will govern how we collect, store, use, share and in any other form process your personal data and your rights during our relationship and after its termination. The information contained herein supersedes any information in relation to the processing of personal data that is included in any of the existing Agreements/Client Agreement and associated forms on matters that are covered by this Privacy Policy. The Company may revise or update this Policy from time to time. The new version of this Privacy Policy will be available on the Company’s website. If you are a natural person, the Company is the personal data processor and controller of your personal data in relation to the processing activities which your personal data undergo as stated further below.

For the purposes of this statement:

(a) Processing of personal data shall mean 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, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

(b) Controller shall mean the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data;

(c) Processor shall mean a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

## **2. Collection of Information**

The Company will collect personal data for the purposes of the establishment of the Client's economic profile and assess any risks related to the prevention of money-laundering as well record keeping obligations for establishing the suitability and appropriateness of each Client, based on the services offered, client transactions, FATCA (Foreign Account Tax Compliance Act) and CRS (Common Reporting Standards). The Company based to the above-mentioned, hereby informs you that it will request, collect and maintain for at least seven (7) years the following personal data and information (the "Personal Data"):

- (a) Name and Surname
- (b) Date of Birth
- (c) Place of Birth
- (d) Nationality
- (e) Political exposure
- (f) Copy of the Passport and/or of the Identity Card
- (g) Utility bill or other proof of address (including the full address of the client)
- (h) Telephone number
- (i) Email
- (j) Bank Account Details

Other types of data we may collect and maintain for at least seven (7) years is:

- (k) Profession and background information (cv),
- (l) Industry of Employment
- (m) Gross Annual Income Net Worth
- (n) Anticipated Turnover Employer's name Tax Identification Number
- (o) Tax Residence

The Company may collect the said Personal Data and information directly from you (during the account opening procedure or during the ongoing monitoring of your account activity) and/or from other persons including for example, credit reference agencies, fraud prevention agencies, banks, other financial institutions, third authentication service providers and the providers of public registers. The Company may also collect your Personal Data and information in regards to your use of our website(s), such as pages visited, frequency, duration

of visit and trading activities. The Company also keeps records of your trading behaviour, including a record of:

- a) Products you trade and their performance;
- b) Historical data about the trades and investments you have made including the amount invested;
- c) Historical data about your payment activities and your withdrawal activities.

Further to the above, the Company may also request further information to improve its service to you (Existing or Potential Clients) or our activities (if you are our Provider for Trading Data) under our relevant Client Agreement, as the case may be, or comply with Applicable Regulations.

Telephone conversations and communications between you and the Company as well as internal communications which relate to your affairs and/or Transactions and/or Orders are recorded and kept by the Company and such recordings and communication will be the sole property of the Company. You accept such recordings or communication as conclusive evidence of the Orders or conversations so recorded. A copy of such recordings and communications as well as internal communications which relate to your affairs and/or Transactions and/or Orders will be available on request by you for a period of seven (7) years.

### **3. Use of the Information**

The Company will use, store, process and handle your Personal Data in accordance with the applicable legislative regime.

Your personal data (not publicly available information and/or already possessed by the Company without abiding with the provisions of the general data protection regulation), will be collected and processed explicitly and specifically only for the purposes that have been collected for ('purpose limitation') while the Company must require only the information necessary in relation to the purposes for which they have been collected.

We use the information we collect about you in the following ways:

- To carry out our obligations arising from any agreements and/or contracts between you and us and to provide you with the information, products and services that you request from us;
- For our legitimate interests or those of a third party, for example, to prevent and detect fraud/unauthorized access to our systems that can be damaging to us and you and/or to be as efficient as we can so we can deliver the best service to you at the best price and/or conducting credit reference checks via external credit reference agencies to ensure our customers are likely to be able to pay for our products and services;
- To comply with our legal and regulatory obligations, for example, conducting checks to identify our customers and verify their identity as required by applicable laws and regulations in Mauritius;
- To provide you with information about other services we offer that are similar to those that you have already used or enquired about;

- To notify you about changes to our services.
- Clients' feedback is pivotal to our commitment to professional excellence. Therefore, we may request you to provide your feedback on any of our services or products you have received through reputable online customer review websites. Your feedback may be shared for promotional and marketing purposes.

#### **4. Contacting You**

We may, for the purpose of administering the terms of our agreements between us, from time to time, make direct contact with you by telephone, fax, email, or post.

If you agree, we or any of our affiliates may make contact with you from time to time, by telephone, fax, email or post for marketing purposes to bring to your attention products or services that may be of interest to you or to conduct market research.

#### **5. Disclosure of Information**

As part of using your personal information for the above purposes, we may disclose your information to:

- (a) Service providers and specialist advisers who have been contracted to provide us with IT, financial, regulatory, compliance, accounting and/or other services.
- (b) Partners with whom the Company has closed relationships and who are working for the Company, whether exclusively or not.
- (c) Relevant public authorities.
- (d) Anyone authorised by you.
- (e) Relevant authorities to investigate or prevent fraud, money laundering or other illegal activity.
- (f) The Company's employees so as to exercise their duties to further the Agreement between us, or to assure the efficient functioning of our Platform, the Automatic Orders and the Trading Data functions.

The Company requires from organisations outside the Company who handle or obtain personal information to acknowledge the confidentiality of this information, undertake to respect any individual's right to privacy and comply with all the relevant data protection laws and this privacy policy.

#### **6. Your consent**

The use of your Personal Data and personal information requires your consent, such consent considered provided upon entry into the Client Agreement and, more specifically, upon submission of the account opening application form. The Company shall rely on the provided

consent as its legal basis for processing your personal data. You have the right at any time to withdraw that consent by contacting us via phone or via email at [support@dealing.com](mailto:support@dealing.com).

If at any time you feel compelled to consent or you will endure negative consequences if you do not, then your consent will not be valid. Additionally, your consent shall not be bundled- up as a non-negotiable part of terms and conditions, because such action would indicate that you haven't freely provided your consent.

In certain circumstances the Company can process your Personal Data without your consent. The following are considered to be the most relevant:

- (a) Processing is necessary for compliance with legal obligation to which the controller is subject.
- (b) Processing is necessary for the performance of a contract to which the person is party, or in order to take measures of the person's request prior entering into a contract.
- (c) Processing is necessary in order to protect the vital interests of the data subject.
- (d) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of public authority or a third party to whom the data are communicated.
- (e) Processing is necessary for the purposes of the legitimate interests pursued by the controller or by the third party to whom the personal data are communicated, on condition that such interests override the rights, interests and fundamental freedoms of the persons.

## **7. Management of your Personal Data and Safeguard Measures**

The Company has taken all the appropriate organisational measures to ensure that your Personal Data are secured. The employees that are processing your data are being trained to respect the confidentiality of customer information and the privacy of individuals. We consider breaches of your privacy as top priority, and the Company will enhance its internal procedures to prevent any such event.

The Company has implemented procedures in respect to safeguarding your data. Access to your information have only been given to employees and/or Partners/Associates/Affiliates/Authorized Persons that need to have access to the information in order to enable the continuity of the agreement between you and the Company.

Furthermore, we hold personal information in a combination of secure computer storage, secure servers and from time to time and if it is deemed necessary, we will store them in paper-based files. The Company has taken all the necessary steps to protect the personal information that it holds from misuse, loss, unauthorised access, modification or disclosure. While we will use all reasonable efforts to safeguard your Personal Data, you acknowledge that the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal data transferred from you, or to you via the internet.

The Company shall keep your Personal Data for as long as the company has business relationship with you (physical person). Once the business relationship has ended, we may keep your data for up to seven (7) years.

The Company may keep your personal data for longer than seven (7) years for legal, regulatory and/or any other obligatory reason. Retention periods will be determined taking into account the type of information that is collected and the purpose for which it is collected, bearing in mind the requirements applicable to the situation and the need to destroy outdated, unused information at the earliest reasonable time.

**Automated decision making:** In some instances, the Company's use of your personal information may result in automated decisions being taken (including profiling) that legally affect you or similarly significantly affect you. Automated decisions mean that a decision concerning you is made automatically on the basis of a computer determination (using software algorithms), without human oversight. When an automated decision about you is made, you have the right to contest the decision, and to demand a review of the decision by a Company employee.

**International data transfers:** Subject to certain conditions, the Company reserves the right to transfer your personal information to third parties in other countries for further processing in accordance with the purposes set out in this Policy. In certain cases, this may include transferring data to countries which do not offer the same level of protection as the laws of your country of residence. In such cases, the Company will, as required by applicable law, ensure that your privacy rights are adequately protected by appropriate technical, administrative, contractual, or other lawful means. These include putting data transfer agreements in place for the transmission of personal information within the group of companies to which the Company is party, which require all partners to protect the personal information they process in accordance with applicable data protection laws.

You agree that we have the right to share your information with:

- Any member of our group and its subsidiaries.
- Selected third parties we use to help deliver our products and/or services to you including: Business partners, brokers, vendors, insurers, payment service providers for the performance of any contract we enter into with them or you;
- Analytics and search engine providers that assist us in the improvement and optimization of our site, Credit reference agencies and/or banking and financial institutions and/or auditors for, among others, the purpose of assessing your credit score (where this is a condition of us entering into a contract with you).
- Any Mauritius Law enforcement agencies and regulatory bodies for the purposes of complying with local and international regulations against money-laundering, fraud and the general prevention of crime and illegal activities

We will disclose your personal information to third parties:

- In the event that this is necessary for the delivery of our products and/or services to you;
- If Finvasia Capital Ltd or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets;

- If we are under a duty to disclose or share your personal data to comply with any legal and/or regulatory obligation, or to enforce or apply our terms of use and other agreements, or to protect the rights, property, or safety of Finvasia Capital Ltd, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection, anti-money laundering and credit risk reduction.

We only allow the third parties we work with to process your personal information if we are satisfied, they take appropriate technical and organizational measures to protect your personal information. We also impose contractual obligations on our selected third parties to ensure they can only use your personal information to provide services to us and to you.

## **8. Change of Information**

You may inform the Company at any time that any of your Personal Data has changed or that you wish the Company to delete information we hold about you by emailing us at [support@dealing.com](mailto:support@dealing.com). We will change or delete your Personal Data in accordance to your instructions, except to the extent that we are required to hold your Personal Data for regulatory or legal purposes, to provide you with the Services you have requested or to maintain adequate business records.

## **9. Right of Access**

As a natural person you have the right to obtain a copy of any personal information which we hold about you and to advise us of any perceived inaccuracy. Additionally, you may also request the reasoning of holding such information. To make a request, please contact us, verifying your identity and specifying what information you require. You may contact us via e-mail at [support@dealing.com](mailto:support@dealing.com)

## **10. How to complain**

We hope that we and our DPO can resolve any concern or complain you may have about our use of your information. The DPA also gives you the right to lodge a complaint with the Commissioner. The supervisory authority in Mauritius is the Data Protection Office. Please contact our DPO by post, email, or telephone if you have any questions about this privacy policy or the information, we hold about you. Our DPO's contact details: Post: Data Protection Officer, Finvasia Capital Ltd, 11th Floor, Bramer House, Cybercity 72201, Ebene, Republic of Mauritius By Email: [dpo.@dealing.com](mailto:dpo.@dealing.com)

## **11. Questions**

If you have any questions regarding this Policy, wish to access or change your information or have a complaint, or if you have any questions about security on our Website, you may email us at [support@dealing.com](mailto:support@dealing.com)

## **12. Update of this Policy**

This Policy is subject to change without notice. For this reason, you are advised to look for updates from time to time.

Signature:

Name of Client (and representative):

Date: