

# PRIVACY POLICY

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## Privacy Statement

Protecting the privacy and safeguarding the personal and financial information of our clients and Web site visitors is one of our highest priorities. The following Privacy Statement explains how we collect and protect your information. By opening an account or by using our Web site, you give your consent to the collection and use of personal information by us as explained in this privacy statement.

**The following disclosure is made pursuant to the European General Data Protection Regulation (GDPR):**

For the purpose of the General Data Protection Regulation (GDPR) 2016/679, the data controller is AVA Trade EU Limited Ava Trade EU Ltd Mayor Street Lower, North Dock, Dublin, Ireland (“we”, “us”, “our”).

This privacy statement explains when and why we collect personal information, how we use it, the conditions under which we may disclose it to others and how we keep it secure. This Privacy Statement applies to the use of our products and to our sales, marketing and customer contract fulfilment activities.

## Collection of personal information

We collect information required to open an account, to transact business effectively and to safeguard your assets and your privacy. To do this, we gather information to help us assess your needs and preferences.

The information we collect directly from you includes information required to communicate with you, including your name, mailing address, telephone number, email address and to identify who you are. We also collect demographic information when you open an account, including, birth date, education, occupation, etc. and information about your transactions with us. We also assess your trading experience, your approximate annual income and approximate net worth to assess your financial position.

### When do we collect personal data about you?

- When you are using our products.
- When you interact with us in person, through correspondence, by phone, by social media, or through our websites.

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- When we collect personal information from other legitimate sources, such as thirdparty data aggregators, our marketing partners, public sources or social networks. We only use this data if you have given your consent to them to share your personal data with others.

## Usage of personal information

We use personal information to provide you quality service and security. For example, we may use the information collected from you to verify your identity and contact information. We may also use this information to establish and set up your trading account, issue an account number and a secure password, maintain your account activity, and contact you with account information. This information 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.

We may use your information for the following purposes:

- Send you marketing communications which you have requested. These may include information about our products and services, events, activities, and promotions of our associated partners' products and services. This communication is subscription based and requires your consent.
- Send you information about the products and services that you have purchased from us.
- Perform direct sales activities in cases where legitimate and mutual interest is established.
- Provide you content and venue details on a webinar or event you signed up for.
- Reply to a 'Contact me' or other web forms you have completed on one of our websites (e.g. to download a whitepaper).
- Follow up on incoming requests (customer support, emails, chats, or phone calls).
- Provide you with access and services related to a Free Trial of our applications.
- Provide access to our Customer Support portal or the website.
- Perform legal and contractual obligations such as order confirmation, license details, invoice, reminders, and similar.

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- Notify you about any disruptions to our services (system messages).
- Contact you to conduct surveys about your opinion on our products and services.

## **Our affiliates and partners**

We may share information with affiliates and partners (including, without limitation, with financial services companies, such as depository banks, executing partners, exchanges) if the information is requested by such partners or if the information is required to provide the product or service you have requested or to provide you the opportunity to participate in the products or services our affiliates offer. We may also forge partnerships and alliances, which may include joint marketing agreements, with other companies who offer high-quality products and services that might be of value to our clients. In order to ensure that these products and services meet your needs and are delivered in a manner that is useful and relevant, we may share some information with partners, affiliates and alliances. This allows them to better understand the offers that are most relevant and useful. The use of your personal information is limited to the purposes identified in our relationship with the partner or affiliate. We will enter in Data protection agreements with all third parties for protection of your personal data. In the event you execute orders on financial instruments which are traded on non-EU exchanges, you authorize us to provide certain personal information to our EU and non-EU partners, upon their request.

## **Non-affiliated third parties**

We do not sell, license, lease or otherwise disclose your personal information to any third party for any reason, except as described below.

We reserve the right to disclose your personal information to third parties where required by law to regulatory, law enforcement or other government authorities or when necessary to protect our rights or property.

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, order fulfilment, client service, client satisfaction surveys or other support services or data collection activities relevant to our business. Information we collect from you may also be transferred to, and stored at, a destination outside the European Economic Area (“EEA”) including the United States. It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. 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. All third parties with

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whom we share personal information are required to protect personal information in a manner similar to the way we protect personal information.

## Security

All information you provide to us is stored on secure servers. Any payment transactions will be encrypted using SSL technology. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our Web site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

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 to our Web site; 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.

## Restriction of responsibility

If at any time you choose to purchase a product or service offered by another company, any personal information you share with that company will no longer be controlled under our Privacy Statement. We are not responsible for the privacy policies or the content of sites we link to and have no control of the use or protection of information provided by you or collected by those sites. Whenever you elect to link to a co-branded Web site or to a linked Web site, you may be asked to provide registration or other information. Please note that the information you are providing is going to a third party and you should familiarize yourself with the privacy policy provided by that third party.

## Marketing

We may use your data to provide you with information about our goods and services which may be of interest to you and we or our agents may contact you about these by post and telephone.

If you are an existing customer, we will only contact you by electronic means (such as email, voicemail or SMS) with information about our goods and services similar to those which were the subject of a previous sale to you.

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If you do not want us to use your data in this way please tick the relevant boxes when we collect your marketing preferences. You may change your preferences at any time by contacting a Client Services 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.

## **Use of "Cookies"**

We use cookies to assist us in securing your trading activities and to enhance the performance of our Web site. (Cookies are small text files sent from the Web server to your computer.) Cookies used by us do not contain any personal information nor do they contain account or password information. They merely allow the site to recognize that a page request comes from someone who has already logged on.

We may share Web site usage information about visitors to the Web site with reputable advertising companies for targeting our Internet banner advertisements on this 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.

If you wish to block cookies, you may do so through your browser's settings. You can delete cookies that are already on your computer and you can set your browser to prevent them from being placed going forward. Please refer to the browser's help menu for further information. However, please bear in mind that disabling cookies may adversely affect your user experience on the Service. To learn more about how to reject cookies, visit [www.allaboutcookies.org](http://www.allaboutcookies.org)

## **You're Rights**

You have the right to request a copy of the information held by us about you. You also have the right to access your data, have changed any inaccuracies in the details we hold about you, the right to object to the use of your data and the right to block any specific uses of your data, by means of a request in writing to AVA Trade EU Limited, Ava Trade EU Ltd, 2 Dublin Landings, North Wall Quay, Dublin 1, Ireland

## **Our legal basis for collecting personal data**

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## Collecting personal data based on consents

The collection of personal data based on consent from the data subject will be done by using “Consent Forms” that will store documentation related to the consent given by the individual. Individual consents will always be stored and documented in our systems.

## Collecting personal data based on contracts

We use personal information for fulfilling our obligations related to contracts and agreements with customers, partners and suppliers.

## Collecting personal data based on legitimate interest

We may use personal data if it is considered to be of legitimate interest, and if the privacy interests of the data subjects do not override this interest. Normally, to establish the legal basis for data collection, an assessment has been made during which a mutual interest between us and the individual person has been identified.

## **How long do we keep your personal data?**

We store personal data for as long as we find it necessary to fulfil the purpose for which the personal data was collected, while also considering our need to answer your queries or resolve possible problems, to comply with legal requirements under applicable laws, to attend to any legal claims/complaints, and for safeguarding purposes.

This means that we may retain your personal data for a reasonable period of time after your last interaction with us. When the personal data that we have collected is no longer required, we will delete it in a secure manner. We may process data for statistical purposes, but in such cases, data will be anonymized.

## **Your rights to your personal data**

YOU HAVE THE FOLLOWING RIGHTS WITH RESPECT TO YOUR PERSONAL DATA:

- The right to request a copy of your personal data that we hold about you.
- The right to request that we correct your personal data if inaccurate or out of date.
  - If you are a customer, you may update your user profile by sending request to our support team”.

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- The right to request that your personal data is deleted when it is no longer necessary for us to retain such data for legal and contractual purposes.
- The right to withdraw any consent to personal data processing at any time. For example, your consent to receive e-marketing communications:
- If you want to withdraw your consent to e-marketing, please make use of the link to manage your subscriptions included in our communication. Please note that you may still receive system messages and administrative communications from us, such as order confirmations, system messages and notifications about your account activities.
- The right to request that we provide you with your personal data and, if possible, to pass on this information directly (in a portable format) to another data controller when the processing is based on consent or contract.
- The right to request a restriction on further data processing, in case there is a dispute in relation to the accuracy or processing of your personal data.
- The right to object to the processing of personal data, in case data processing has been based on legitimate interest and/or direct marketing.
- The right to complain to us and/or the Data Protection Commission.
- You can submit your request or complaint to following email: [complaints@avatrade.com](mailto:complaints@avatrade.com)

## Changes to This Privacy Statement

From time to time, we may update this Privacy Statement. In the event we change this Privacy Statement, the revised Privacy Statement will promptly be posted to the Web sites and we will post a notice on our Web sites informing you of such changes. You agree to accept posting of a revised Privacy Statement electronically on the Web site as actual notice to you. Any dispute over our Privacy Statement is subject to this notice and our Customer Agreement. We encourage you to periodically check back and review this policy so that you always will know what information we collect, how we use it, and to whom we disclose it. If you have any questions that this statement does not address, please contact a Client Services representative.