



fpmarkets

CONTRACTS FOR DIFFERENCE

PRIVACY POLICY (including GDPR)

Issue Date: 29th November 2019

1. Our Commitment to You

We understand the importance of maintaining the confidentiality and privacy of your Personal Data. By entrusting us with your Personal Data, 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.

This Privacy Policy provides an overview of how **First Prudential Markets Ltd** (the “Company”) processes your Personal Data and sets out the information that the Company must provide to you for the purpose of the EU General Data Protection Regulation 2016/679 of the European Parliament and of the Council of 27th April 2016 (“GDPR”), which is applicable as of 25th May 2018.

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. Moreover, you agree that this Policy, including any amendments 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 contain 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 Policy will be available on the Company’s website.

As per the relevant sections of the GDPR, 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 Policy:

- (a) **Commissioner** means the Office of the Commissioner for Personal Data Protection, which is the Independent Supervisory Authority for the protection of the individuals, established in the Republic of Cyprus;
- (b) **Consent** of the data subject means any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of Personal Data relating to him or her;
- (c) **Controller** means 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; where the purposes and means of such processing are determined by Union or Member State law, the Controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- (d) **Filing system** means any structured set of Personal Data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis;

- (e) **GDPR** means the European Union’s Parliament’s and Council’s General Data Protection Regulation 2016/679 that is applicable as of 25th May 2018, repealing the previous the Data Protection Directive 95/46/EC;
- (f) **Personal Data** means any information relating to an identified or identifiable natural person (“the 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;
- (g) **Personal Data breach** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- (h) **Personal Data 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, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- (i) **Processor** means a natural or legal person, public authority, agency or other body which processes Personal Data on behalf of the Controller;
- (j) **Recipient** means a natural or legal person, public authority, agency or another body, to which the Personal Data are disclosed, whether a third-party or not. However, public authorities which may receive Personal Data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with, the applicable data protection rules according to the purposes of the processing;
- (k) **Third-party** means a natural or legal person, public authority, agency or body other than the data subject, Controller, Processor and persons who, under the direct authority of the Controller or Processor, are authorised to process Personal Data.

2. Collection of Information

As part of the Company’s client account opening procedures and ongoing obligations, needs to abide with the legislative framework currently in place with the Cyprus Securities and Exchange Commission (‘CySEC’). Specifically, the Company shall comply with its legal obligations under the AML Law (Law 13(I)/2018), as amended, and the AML Directive (Directive DI144-2007-08 of 2012) for the establishment on the Client’s economic profile and prevention of money-laundering as well as abide with the relevant record keeping obligations under the GDPR and Law 87(I)/2017 for establishing the suitability and appropriateness of each Client based on the services offered by the CIF and recordings of telephone conversations and client transactions.

The Company based to the above-mentioned, is obliged to request, collect and maintain for at least five (5) years the following types of Personal Data:

Type of Personal Data	Description and examples
Contact	<ul style="list-style-type: none"> • your name • where you live • how to contact you (including telephone number, email and home address)
Documentary Data	<ul style="list-style-type: none"> • information about you that is stored in different documents / forms / copies of them, including but not limited to the below: <ul style="list-style-type: none"> - identification documents i.e. your passport / identity card / driving license; - proof-of-residence documents i.e. bank statement / payslip / utility bill; - source-of-funds documents i.e. tax return, corporate documents of your entity, trust deeds, power of attorney, credit checks; - Appropriateness Assessment, Economic Profile.
Personal specific-data	<ul style="list-style-type: none"> • your gender and date of birth
Financial	<ul style="list-style-type: none"> • your assets • your income, financial position / source of wealth • your employment details i.e. occupation, industry, employer name, status, history
Socio-Demographic	<ul style="list-style-type: none"> • your education • your profession • details about your nationality
Contractual	<ul style="list-style-type: none"> • details regarding the services and / or products you offered to you
Trading / Transactional information	<ul style="list-style-type: none"> • your knowledge and experience in trading, risk tolerance, risk profile • your bank account, e-wallet and credit card details
National identifier	<ul style="list-style-type: none"> • your Tax Identification Number / Code (TIN / TIC), country of tax residence
Location	<ul style="list-style-type: none"> • your IP addresses • your country by phone number you provided
Communication & correspondence	<ul style="list-style-type: none"> • details about you from email and / or mail correspondence and chats with us
Public Records and Open Sources	<ul style="list-style-type: none"> • details about you i.e. when you are online • other publicly available records / information
Consent / permission	<ul style="list-style-type: none"> • your consents, any permissions / preferences given to us
Behavioural	<ul style="list-style-type: none"> • historical data about the trades / investments you have traded with us • your preferences for certain types of products / services
Technical	<ul style="list-style-type: none"> • details of the device and technology you use

The Company may collect the said information directly from you (during the account opening procedure) 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 in regard 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 Agreement, as the case may be, or comply with Applicable Regulations.

The Company records any communications, electronic, by telephone, in person or otherwise, that we have with you in relation to the services that were provided by the Company to you and the relationship with you. The said recordings will be the Company's sole property and will constitute evidence of the communications between the Company and you.

3. How do we use your Personal Data

The Company uses Personal Data only as required to comply with regulatory requirements and / or provide quality services to you. This information assists the Company to improve its services, customise browsing experience and enables it to inform its clients of additional products, services and / or promotions relevant to clients and in this respect the client needs to provide his / her consent to the usage of this data for such purposes (*see Appendix 1*). The Company processes your Personal Data for the following purposes:

i. Account Setup, Verification and Management: We use personal information such as your name, ID / passport details, email address, phone number, and information about your device to open and administer your trading account with the Company, provide technical and customer support and training, verify your identity, process payment information and send you important information about your account with us and our service information. This information is required for the purposes of the Company complying with the laws and regulations applicable to it.

To verify your identity, age and accuracy of your registration details provided, we may disclose such information to third-parties e.g. financial institutions and third-party reference agencies and data verification service providers. This is required for the purpose of our complying with our legal obligations.

- ii. Complaints:** We may also use such personal information to consider any concerns or complaints you may have and / or in the event this becomes necessary for the purposes of any legal action or claim that you, or us, may have against each other in the context of our services provided.
- iii. Personalisation:** Having acquired your consent, we may use your personal information, including but not limited to your professional background details and your account trading history, to determine, deliver and / or suggest tailored solutions to you, to personalise your experience with our services in line with your background, prior exposure to financial markets and your general experience in trading. This type of processing is necessary for the purposes of our legitimate interests in developing, delivering or presenting relevant personalized services and content to our customers.
- iv. Marketing:** Subject to any preferences you may have expressed, we may use your personal information, including but not limited to your name, e-mail, address, phone

number, location and web-data, to deliver marketing and event communications to you across various platforms, such as social networks, email, telephone, text messaging, direct mail, online, or otherwise. We will do this either, (i) until you withdraw your consent (or it ceases to be valid) or, (ii) during the period of your relationship with us and, unless specifically instructed otherwise by you, for a reasonable period of time after the relationship has ended in order to inform you about products, services, promotions and special offers which we think may be of interest to you.

See also *Section 4* of this document, Personal Data – Marketing Opt-Out of this Policy.

- v. **Risk Management:** In order to provide you our services and comply with our regulatory obligations we process your Personal Data as needed, to evaluate and manage risks to our business. The types of Personal Data that we may process for such purposes includes, but it is not limited to, your trading history and patterns (which may be required to identify and prevent abusive trading and / or other unlawful trading practices), your name, ID, passport and residence details.
- vi. **Diagnostics, Research and Development:** We may use your personal information for; internal research and development purposes, to help diagnose system problems, to administer our websites, to analyse, improve and test the features and functions of our services to you, to develop new content, products and services. Such processing is necessary for the purpose of our legitimate interests.
- vii. **Legal and Regulatory Obligations:** We may be required to use and retain personal information for legal and compliance reasons, such as the prevention, detection, and / or investigation of a crime or fraud. We may also use personal information to meet our internal and external audit requirements, information security purposes, and as we otherwise believe to be necessary or appropriate: (a) under applicable law, which may include laws outside your country of residence; (b) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence; and (c) to enforce the terms of the Agreement, or for the purposes of defending any claim you may have against us in connection with your trading with us.
- viii. **Business Transfers:** We may sell, transfer or otherwise share some or all of our assets, including among others your Personal Information and Log Data, in connection with a merger, acquisition, reorganization or sale of all or substantially all of our shares or assets, or in the event of our bankruptcy.
- ix. **Other Purposes:** We may be required to use and retain your personal information for loss prevention or to protect our rights, privacy, safety, or property, or those of other persons in accordance with our legitimate interests.

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 may transfer your personal information outside the European Economic Area (EEA). If we will make such a transfer, we will ensure that the transfer is lawful and that there are appropriate security arrangements in place to safeguard your Personal Data as provided by Applicable Regulations. In furtherance, the Company follows the European Commission instructions in respect to this matter and it shall ensure that the third country that your data may be transferred is recognised by the EU Commission, as adequate in respect to the protection of your Personal Data.

4. Personal Data – Marketing Opt-out

The Company uses Personal Data only as required to comply with regulatory requirements and / or provide quality service to you. We will not rent, swap or sell your personal information to other organisations for them to use in their own marketing activities without your consent.

The Company may market additional products, services and promotions relevant to you and the products and services you require if you have given consent to us for using data for such purposes. The processing of Personal Data may involve its transfer outside of the European Economic Area (EEA) to third countries where the level of protection of Personal Data is considered adequate as within the EEA. We will ensure that, the transfer of Personal Data to such third countries will only take place following the implementation of a transfer mechanism as prescribed in applicable legislation.

If you do not want to receive marketing and / or promotional information of this nature for any reason, please contact us at the following address supportdesk@fpmarkets.eu. The Company will still send you important information about your account with it and the Company’s service information. If we send you a marketing email or other marketing communication, it will include instructions on how to opt-out of receiving these marketing communications in the future. You can also manage your Personal Data and update your marketing preferences by emailing supportdesk@fpmarkets.eu. Notes:

- i. We shall need up to seventy-two (72) hours to process any changes you make to your marketing preferences.
- ii. We note that even if you opt-out of receiving marketing communications, we may still send you important information related to your account(s) with us and our services to you.

5. Contacting You

We may, for the purpose of administering the terms of our Agreement 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 of the Company 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.

6. Disclosure of Information

As part of using your personal information for the purposes set out above, we may disclose your Personal Data 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 or Tied Agents with whom the Company has closed relationships and who are exclusively working for the Company.
- (c) Regulatory Authorities.
- (d) Anyone authorised by you.
- (e) Relevant authorities to investigate or prevent fraud, money laundering or other illegal activity.
- (f) Trade Repository or similar.
- (g) 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.

7. Your consent

The use of your personal information requires your consent, such consent will be provided in accordance with the Client Agreement that it is provided to you during the account opening procedure and is also available on the Company's website(s). 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 supportdesk@fpmarkets.eu.

Where you are a natural person and the use of your Personal Data requires your consent, the Company will request for your consent to be provided freely, specific, informed and an unambiguous indication of your desires, which by statement or by clear affirmative action, signifies agreement to the processing.

If at any case 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 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.

8. Management of your personal information and Safeguard Measures

The Company has taken all the appropriate organisational measures to ensure that your Personal Data are secured. Moreover, the Company has established an Internal Educational Training for its employees so as to mitigate any risks that may affect your data. 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 Personal Data have only employees and/or Partners/Tied Agents 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.

Company's employees are trained to respect the confidentiality of customer information and the privacy of individuals. We take the safeguarding of your data very seriously and will impose appropriate penalties, including dismissal where necessary for any breaches. We have appointed a **Data Protection Officer** ("DPO") to ensure that the management of personal information from our side, is in accordance with the present Privacy Policy and the applicable legislation.

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 been ended, we

may keep your data for up to five (5) years in accordance with the Laws governing the Company.

The Company may keep your Personal Data for longer than five (5) 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.

The Company has developed policies and procedures to identify and deal with data breaches, and if a breach is experienced, the Commissioner will be notified within seventy-two (72) hours.

9. Change of Information

You may inform the Company at any time that your Personal Data has changed or that you wish the Company to delete information we hold about you by emailing us at backofficedesk@fpmarkets.eu. 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.

10. Your rights under GDPR (addressed to clients)

You have certain rights under GDPR which are detailed below. Some only apply under specific circumstances and are qualified in several respects by exemptions in Data Protection Bill. We will advise you in our response to your request if we are relying on any such exemption. For any request, please contact us at compliance@fpmarkets.eu. In order to execute your request, we shall request from you to prove your identity through two (2) pieces of approved identification documents.

- i. Access to Personal Data:** You have the right to submit a Subject Access Request (“SAR”) for obtaining a copy of the personal information that we hold about you. In fulfilling such request of yours, we will request such other relevant information that will reasonably assist us. Information will be provided within one (1) calendar month of the request, unless the request is complex, in which case we may notify you that an extension of up to two (2) calendar months is necessary. No fee will be charged for the first request, but a reasonable fee to cover administrative cost of providing further copies will be charged. If the request is unfounded or excessive, the Company has the right to refuse the request or charge a reasonable fee to deal with the request.
- ii. Correction of Personal Data:** You can request from us to update any Personal Data that we are processing about you, which is incorrect. We will act within one (1) calendar month of request. We will independently verify your identity before any information is changed.
- iii. Right to withdraw consent:** Where the Company has a genuine, lawful and legitimate interest for collection, processing and storing of data, we are unable to withdraw your

consent which allows us to process your Personal Data. However, where we have relied upon your consent to process your Personal Data, you have the right to withdraw that consent. To opt-out of marketing (email and / or SMS), please contact us at compliance@fpmarkets.eu.

- iv. **Right for erasure / to be forgotten:** You can request from us to erase your Personal Data where there is no compelling reason to continue processing. This right only applies in certain circumstances, it is not a guaranteed or absolute right (for example, we may be required to retain your data for legal and regulatory purposes which will take precedent).
- v. **Right to data portability:** This right allows you to obtain your Personal Data that you have provided to us with your consent or which was necessary for us to provide you with our products and services, in a format which enables you to transfer such Personal Data to another organisation. You may have the right to have your Personal Data transferred by us directly to that other organisation, if this is technically feasible.
- vi. **Right to restrict processing of Personal Data:** You have the right in certain circumstances to request that we suspend our processing of your Personal Data. Where we suspend our processing of your Personal Data, we will still be permitted to store your Personal Data, but any other processing of this information will require your consent, subject to certain exemptions.
- vii. **Right to object the processing of Personal Data:** You have the right to object the use of your Personal Data which is processed on the basis of our legitimate interests. However, we may continue to process your Personal Data, despite your objection, where there are compelling legitimate grounds to do so, or we need to process your Personal Data in connection with any legal claims.
- viii. **Rights relating to automated decision making and profiling:** You have the right not to be subject to a decision which is based solely on automated processing (without human involvement) where that decision produces a legal effect or otherwise significantly affects you. Such right means that you can request that we involve one (1) of our employees or representatives in the decision-making process. We are satisfied that we do not make automated decisions of this nature.

11. Sharing Personal Data

Having acquired your consent, the Company may share information with third-parties in the event such information is reasonably required, or for legally or regulatory purposes in order to offer products and services that meet your needs, and which are delivered in a manner that is useful and relevant.

Other third parties your Personal Data may be shared with, may include, but are not limited to:

- an agent, professional advisor or service provider we engage to provide us with administrative, marketing, financial, insurance, research and other services such as our counter-party banks, liquidity providers, marketing agencies and IT service providers;
- organisations involved in a transfer or sale of our assets or business;
- financial institutions involved in managing our payments, such as banks;
- regulatory bodies, government agencies, law enforcement bodies and courts; and
- anyone whom you authorise us to disclose it to.

The Company will not disclose your personal information to third parties outside the EEA, without ensuring that:

- it has taken reasonable steps to ensure that the recipient has an adequate level of protection for the rights and freedoms of the data subjects in relation to the processing of Personal Data;
- the recipient is subject to a similar information privacy regime, and
- the prior authorisation from the Data Protection Commissioner of the Republic of Cyprus is obtained.

The Company does not sell, license, lease or otherwise disclose personal information to third-parties, except as described in the present Privacy Policy.

The Company reserves the right to disclose information as necessary to credit reporting or collection agencies as reasonably required in order to provide its services to you. To help the Company improve its services, we may engage third-parties to help carry out certain internal functions. Use of shared information may also be used to provide professional, legal, or accounting advice to the Company.

Where you may have been introduced to us by an Introducer, such an Introducer may have access to your personal information.

All third-parties with which the Company shares personal information are required to protect such personal information in accordance with all relevant legislation and in a similar manner to the one that the Company protects personal information. The Company will not share personal information with third-parties that it considers will not afford its clients the required level of protection.

The Company shall not, share, disclose, engage and / or provide, from time to time, some and / or all of clients' personal information and / or data provided by its client(s) on an anonymous and / or aggregated basis only except where disclosure is made necessary, but not limited to, pursuant to a court decision or when disclosure of certain types of such information is required under the current applicable legislation, Regulatory and / or Supervisory Authorities within the

Republic of Cyprus and / or for statistical purposes and / or for improving the Company's marketing requirements, including submission for Regulatory inspection(s) purposes to the Company's Regulator (i.e. CySEC). The Company will only use information of a confidential nature and / or disclose the same to any person and / or organisation in the following circumstances:

- i. where the Company is required by law and / or if requested by any Regulatory Authority and / or Exchange having control and / or jurisdiction over the Company;
- ii. in order to investigate and / or prevent fraud and / or other illegal activity in accordance with the applicable Laws within the Republic of Cyprus;
- iii. to any third-party only in connection with the provision(s) of services and / or products offered and / or provided to the client by the Company;
- iv. in accordance with the ancillary services provided to and / or the administration of the clients' account, including, without limitation, for the purposes of credit and / or identification enquiries and / or assessments;
- v. if it is in the public interest to disclose such information; and / or
- vi. at the clients' written request and / or with the clients written consent.

The Company's Clients agree and consent for the use of the initial information / data provided by them, during the initial account opening (establishment of a business relationship) with the Company, and when the client wishes and / or files an additional request and / or amendment(s), alteration(s) and / or service(s) in relation to account and / or services and products provided by the Company, provided that the initial KYC documentation supplied initially by the client is still up to date and / or complies with all legal requirements of the KYC documentation, policies, procedures and Manuals of the Company.

12. Regulatory Disclosure

The Company reserves the right to disclose Personal Data to third-parties where required by law, regulatory, law enforcement or other government authority of a competent jurisdiction in order to protect our rights and / or comply with such legal proceedings. Such disclosure shall occur on a 'need-to-know' basis, unless otherwise instructed by a regulatory or other government authority. Under such circumstances, the Company shall expressly inform the third-party regarding the confidential nature of the information.

The Company, as a regulated firm, is required to comply with certain obligations under the Intergovernmental Agreement with the United States and has taken all reasonable steps to be considered compliant with the Foreign Account Tax Compliance Act ("FATCA") and the Common Reporting Standard ("CRS"), approved by the Organisation for Economic Co-operation and Development ("OECD") for the exchange of information for tax purposes in line with the applicable Multilateral Competent Authority Agreement.

Further regulatory disclosures that the Company is required to comply, include EMIR and MiFIR transaction reporting.

13. Data Retention (incl. Log Data and Cookies)

The Company is legally obligated to keep Personal Data provided by you, including but not limited to your name, address, email, phone number, your trading / transaction / deposits / withdrawals history, for at least 5 (five) years after our business relationship with you has been terminated.

We will not keep your Personal Data for any longer than is required, bearing in mind the requirements applicable to the situation and the need to destroy outdated, unused information at the earliest reasonable time.

We will hold your Personal Data for the longest of the following periods:

- i. the period required for the performance of the relevant activity or services,
- ii. any retention period required by law,
- iii. the end of the period of any litigation and / or investigation by a public authority which arises in respect of the relevant activity and / or the services, or
- iv. where the Company has justifiable legitimate interest.

Please note that the data protection terms disclosed in the present policy, are part of the Terms and Conditions for the establishment of a business relationship with the Company. Any Personal Data collected, will be retained for carrying out the business relationship established between us.

If we hold any personal information in the form of a recorded communication, by telephone / electronic / in person or otherwise, such information will be held in line with local regulatory requirements which may either be five (5) years or, where required by law, ten (10) years after our relationship with you has terminated.

Restriction & Limitation of Liability

The Company and / or its employees shall not be held liable for any loss(es) and / or damage(s) including without limitation, indirect and / or consequential loss (es) and / or damage (s) arising from loss (es) of data and / or profit(s) arising out of and / or in connection with, the use of the Company's website. The material and / or information contained on the Company's website is solely for information purposes. Material and / or information on the Company's website, including, but not limited to, images, texts, policies, forms, agreements, is owned and / or otherwise provided by the Company; and should not be reproduced, and / or distributed and / or published in whole and / or in part for any purpose without the explicit written consent and / or permission of the Company. The material and / or information within the Company's website should not be interpreted and / or comprehended as an offer and / or a solicitation of an offer, to investment services / activities and / or any financial instruments.

The Company takes no responsibility for, and should not be liable for, the website being temporarily unavailable due to technical issues beyond the Company's control nor shall accept any liability for loss(es) and / or damage(s) as a result of reliance on the information contained within its website. Further, the Company is not liable for the privacy policies or the content of sites to which links are available, and where the Company has no control over the use or protection of information provided by clients or collected by those sites. Whenever a client elects to link to a co-branded website or to a linked website, the client may be asked to provide registration or other personal information. Please note that such information is recorded by a third-party and will be governed by the privacy policy of that third-party.

The Company's website may be accessed only via an EU Internet Protocol (IP) address (worldwide access not possible), however, the financial products mentioned on the website may not be allowed by law to all investors in all countries. Through this website you may be able to link to other websites which are not under the control of the Company. Such inclusion does not in any way imply any recommendation and / or endorsement from the Company in relation to the views expressed therein; they are only offered as a convenience to all visitors. The access to the website may be restricted to certain jurisdictions due to domestic legal restrictions. For such visitors and where users of the website subject to such legal restrictions are not allowed to access it, the Company bears no responsibility as well as to visitors or users or towards any individual who may access the website illegally.

The Company's website is not intended to constitute legal, investment, consulting, or other professional advice or services. The Client, before making any decision or taking any action that might affect his / her personal situation and / or business, should consult a qualified professional advisor.

Use of "Log Data"

When you access our Website, we collect information that your browser sends whenever you visit our website or an online service ("Log Data"). This Log Data may include, but is not limited to, your computer's Internet Protocol address, browser type, the web page you were visiting before you came to our website and information you search for, on our website. In addition, if you access our website via a mobile device, we may collect a PushID, subject to your consent as indicated by you in the mobile application, as well as a Mobile IP.

Use of "Cookies"

Our websites, <https://www.fpmarkets.eu> and <https://www.fpmarkets.com/eu> web portal, and application form, use cookies to distinguish you from other users of our website. This helps us to provide you with a better experience when you navigate around our website and allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies.

The Company utilizes "cookies" to identify users when they connect to the site and to enhance the performance of the website. A cookie is a small file of letters and numbers that we store on

your browser or the hard drive of your computer if you have enabled the relevant function on your browser for accepting cookies. Cookies contain information that is transferred to your computer's hard drive. Cookies used by the Company do not contain personal information or other sensitive information. When a current or prospective client accesses the Company's website a cookie is created and placed on the user's machine. In addition to information related to authentication, information may be stored in the cookie in order to direct a user to the correct site location.

The Company may share web site anonymous usage statistics with reputable advertising companies, which can help us to improve your browsing experience on our website. It is noted that the information collected by such advertising companies is not personally identifiable. By continuing to browse our website, you are agreeing to our use of cookies. To administer and improve the website, the Company partners with third-parties to track and analyse usage and statistical volume information. The third-party may use cookies to track behaviour and may set cookies on behalf of the Company. These cookies do not contain any personally identifiable information.

We use **Google Analytics** on our website, a web analytics service provided by Google Inc. ("Google"). Google Analytics is used to help us obtain data regarding the use of Company's website. The information generated by the cookie about your use of the website (including your IP address) may be transmitted to and stored by Google on servers in the United States. Google will use this information for evaluating your use of our website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third-parties process the information on Google's behalf. You may refuse the use of Cookies by selecting the appropriate settings on your browser, however, please note that if you do this you may not be able to use the full website functionality. By using the Company's website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

We use the following cookies:

- **Strictly necessary cookies (session cookies).** These are cookies that are required for the operation of our website / web portal, and for example include cookies that enable you to log into the secure areas of our website / web portal.
- **Analytical / performance cookies.** They allow us to recognise and count the number of visitors and to see how visitors navigate around our website when they use it. This helps us to improve the way our website works, and for example helps us ensure that users can easily find what they are looking for.
- **Functionality cookies (persistent cookies).** These are used to recognise you when you return to our website, and enable us to personalise our content for you, greet you by name and remember your preferences. The Cookies stored cannot harm your device, are anonymous, and unique to your browser.

Enable and / or Disable Cookies

Should the client wish to enable or disable cookies, the following instructions should be adhered to. It should be noted that in the cases where the client wishes to disable cookies, certain sections of our website might not work properly, and he / she may face difficulties logging-in or reviewing articles.

If you do not want to receive certain categories of cookies from our websites, you can opt-out of them. We will need to set a cookie so that we can remember your choices when you next visit the website from the same browser. At the present time it is not technically possible for us to allow you to carry your settings with you between all your browsers and devices, so you will need to change cookie settings from each browser you use.

Note: major part of the Company’s website may work without cookies, but you will lose some features and functionality if you choose to disable cookies.

How the Client may enable and / or disable cookies using his / her browser:

a. Microsoft Internet Explorer 6.0, 7.0, 8.0, 10, 11

- Click on gear icon at the right top of your browser window and select ‘Internet Options’;
- In the options window navigate to the ‘Privacy’ tab;
- **To enable cookies:** Set the slider to ‘Medium’ or below;
- **To disable cookies:** Move the slider to the top to block all cookies;
- **Note:** there are various levels of cookie enablement and disablement in Internet Explorer. For more information on other cookie settings offered in Internet Explorer, please look for a “help” function in the browser or contact the browser provider.

b. Google Chrome

- Click the three dots icon on the right top browser window and select ‘Settings’;
- Click ‘Advanced settings’;
- In the “Privacy” section, click the ‘Content settings’ button;
- **To enable cookies:** in the “Cookies” section, tick ‘Allow sites to save and read cookie data’, this will enable both first-party and third-party cookies. To allow only first-party cookies tick ‘Block all third-party cookies’;
- **To disable cookies:** in the “Cookies” section, pick ‘Block sites from setting any data’;
- **Note:** there are various levels of cookie enablement and disablement in Chrome. For more information on other cookie settings offered in Chrome, please look for a “help” function in the browser or contact the browser provider.

c. Mozilla Firefox

- Click on ‘Tools’ at the browser menu and select ‘Options’;
- Select the Privacy panel;

- **To enable cookies:** Check ‘Accept cookies for sites’;
- **To disable cookies:** Uncheck ‘Accept cookies for sites’;
- **Note:** there are various levels of cookie enablement and disablement in Firefox. For more information on other cookie settings offered in Mozilla, please look for a “help” function in the browser or contact the browser provider.

d. Other Browsers

- Please look for a “help” function in the browser or contact the browser provider; and / or
- For more detailed information about cookies please visit www.allaboutcookies.org.

14. Questions

If you have any questions regarding this policy, wish to access or change your Personal Data or have a complaint, or if you have any questions about security on our Website, you may email us at supportdesk@fpmarkets.eu.

Furthermore, in case you are not happy with the quality of Services we have provided you with in regard to the Personal Data processing, you as a natural person have the right to lodge a complaint with our supervisory authority which is the Commissioner for Personal Data Protection in the Republic of Cyprus.

15. Data Protection Officer (“DPO”)

The Company has appointed a DPO who is responsible for matters relating to privacy and data protection. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

Email address: compliance@fpmarkets.eu

Postal Address: Aigeo Court, 2nd Floor, 109 Griva Digeni, Limassol, 3101, Cyprus.

We will process and reply to your request within thirty (30) days.

16. Right to Complaint

You have the right to make a complaint at any time to the Office of the Commissioner for Personal Data Protection, which is the Independent Supervisory Authority for the protection of the individuals, established in the Republic of Cyprus (“the Commissioner”).

We would, however, appreciate the chance to deal with your concerns before you approach the Commissioner so please contact us in the first instance.

If you are not satisfied with our response to your complaint, you have the right to submit a complaint to the Office of the Commissioner. You can find details about how to do this on the Commissioner’s website at <http://www.dataprotection.gov.cy>.

17. Update of this Policy

From time to time, the Company may update this Privacy Policy. In the event the Company materially changes this policy, including how we collect, process or use your Personal Data, the revised Privacy Policy will be posted on the Company's website for your Personal Data. The Company encourages clients to periodically access and review the present Policy so that the clients are always aware of what information the Company collects, how it used and to whom it may be disclosed. You are advised to consult this Privacy Policy regularly for any changes.

18. Appendices

APPENDIX 1 – FP MARKETS MOBILE APPLICATIONS

This privacy policy appendix governs the use of any of the Company’s mobile phone applications by you (the “**Applications**”).

What information do the Applications obtain and how is it used?

User Provided Information

The Applications obtain the information you provide when you download and register through the Applications. Registration with us is optional. However, please keep in mind that you may not be able to use some of the features offered by the Applications unless you register with us.

When you register with us and use the Applications, you generally provide (a) your name, email address, age, user name, password and other registration information; (b) transaction-related information, such as when you make purchases, respond to any offers, or download or use applications from us; (c) information you provide us when you contact us for help; (d) credit card information for purchase and use of the Applications, and; (e) information you enter into our system when using the Applications, such as contact information and project management information.

We may also use the information you provided us, to contact you from time to time, to provide you with useful information, required notices and marketing promotions.

Automatically Collected Information

Furthermore, the Applications may collect certain information automatically, including, but not limited to:

- the type of mobile device you use;
- your mobile device unique device ID and / or the IP address and / or the operating system;
- the type of mobile Internet browser you use, and /or
- information about the way you use the Applications.

Does the Application collect precise real time location information of the device?

This Application does not collect precise information about the location of your mobile device.

Do third parties see and/or have access to information obtained by the Application?

Only aggregated, anonymized data may be periodically transmitted to external services to help us improve the Application and our services. We may share your Personal Data with third-parties only in the ways that are described in the present privacy policy.

We may disclose “User Provided Data” and “Automatically Collected Information”:

- as required by law, such as to comply with a subpoena, or similar legal process; and / or
- when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request; and / or

- with our trusted services providers who work on our behalf, and who do not have an independent use of the information we disclose to them, and who have agreed to adhere to the rules set forth in the present privacy policy; and / or
- in case the Company is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and / or a prominent notice on the Company website, of any change in ownership or uses of your Personal Data, as well as any options - rights you have regarding your Personal Data.

What are my opt-out rights?

You can stop all collection of information by the Applications easily by uninstalling the Applications. You may use the standard uninstall processes as may be available as part of your mobile device or via the mobile application marketplace or network. You can also request to opt-out, by submitting your email request to supportdesk@fpmarkets.eu.

Data Retention Policy, Managing your Personal Data

We will retain “User Provided Data” for as long as you use the Applications and for a reasonable time thereafter. We will retain “Automatically Collected Information” for up to twenty-four (24) months and thereafter may safely store it in aggregate form. If you’d like us to delete “User Provided Data” that you have provided via the Applications, please contact us at supportdesk@fpmarkets.eu and we will respond within a reasonable time. Please note that some, or all the “User Provided Data” may be required for the Applications to function properly.

Children

We do not use the Applications to knowingly solicit data from, or market to children under the age of 13. If a parent or guardian becomes aware that, his or her child has provided us with information without their consent, he or she should contact us at supportdesk@fpmarkets.eu. We will delete such information from our files within a reasonable time.

Security

We are concerned about safeguarding the confidentiality of your Personal Data. We provide physical, electronic, and procedural safeguards to protect information we maintain and process. For example, we limit access to this information to authorized employees and contractors who need to know that information in order to operate, develop or improve our Applications. Please be aware that, although we endeavour to provide reasonable security for information we maintain and process; no security system can prevent all potential security breaches.

Changes

From time to time, the Company may update this Privacy Policy. In the event the Company materially changes this policy, including how we collect, process or use your Personal Data, the revised Privacy Policy will be posted on the Company’s website for your Personal Data. The Company encourages clients to periodically access and review the present Policy so that the clients are always aware of what information the Company collects, how it used and to whom it may be disclosed. You are advised to consult this Privacy Policy regularly for any changes.

Your Consent

By using the Applications, you are consenting to our processing of your Personal Data as set forth in the present privacy policy. Further to the definitions section of the present Privacy Policy, “Processing” may also mean using cookies on a computer / hand held device or using or touching information in any way, including, but not limited to, collecting, storing, deleting, using, combining and disclosing information.

Contact us

If you have any questions regarding privacy while using the Application, or have questions about our practices, please contact us via email at supportdesk@fpmarkets.eu.

Should you have any questions or enquiries, please don't
hesitate to contact
FP Markets

Griva Digeni, 109, Aigeo
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Limassol, Cyprus

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F +357 25 589 201

fpmarkets.com/eu, fpmarkets.eu

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