



## Privacy and Security

## **PRIVACY AND SECURITY**

### **OUR COMMITMENT**

CLMarkets Ltd. ("CLM") operates <https://www.clmforex.com> and may operate other websites. CLM is committed to providing you with the highest levels of client service. We recognize that your privacy is very important to you and we respect the confidentiality of information and the privacy of individuals.

CLM believes that this Privacy Policy discloses how the personal information you provide to us and our representatives, is collected, used, held, disclosed and disseminated. We are committed to being open and transparent about how we use your personal information.

We encourage you to check our website regularly for any updates to our Privacy Policy.

### **YOUR PERSONAL INFORMATION**

Due to the nature of the products we provide, we are required to collect personal information from customers which can include, but is not limited to, the below:

- Name, address, telephone number(s)
- Date of birth
- Email address
- Occupation and job title
- Transaction details associated with your trading through us
- Additional information provided to us and recorded by telephone
- Information you provided to us on client agreement forms
- Nominated bank account details
- Statement of assets and liabilities
- Information regarding guarantees of company accounts
- Employer
- Voluntary information

You are not required to provide us with any of the personal information requested; however, without the information required CLM will not be able to provide you with any of the services or assistance you have sought.

### **WHAT PERSONAL INFORMATION DOES CLM COLLECTS**

The personal information that we may collect about you broadly falls into the following categories:

#### **Information that you provide us voluntarily:**

You may give us your identity, contact and financial data etc. by filling in forms or by corresponding with us by post, phone, e-mail or otherwise. This includes personal information you provide when you:

- Apply for our products or services.
- Create an account on our website.
- Subscribe to our or related third party service or publications.
- Request marketing to be sent to you.
- Enter a competition, promotion or survey.
- Give us some feedback.

In addition to the above, certain parts of our website may ask you to provide personal information voluntarily (for example, we may ask you to provide your contact details in order to register an account with us, to subscribe to marketing communications from us, and/or to submit enquiries to us). The personal information that you are asked to provide, and the reasons why you are asked to provide it, will be made clear to you when we ask you to provide your personal information.

#### **Information that we collect automatically:**

When you visit our website, we may collect certain information automatically from your device. In some countries, including countries in the European Economic Area (EEA), this information may be considered personal information under applicable data protection laws. Specifically, the information we collect automatically may include information like your IP address, device type, unique device identification numbers, browser-type, broad geographic location (for example, country or city-level location) and other technical information. We may also collect information about how your device has interacted with our website, including the pages accessed and links clicked.

Collecting this information enables us to better understand the visitors who come to our website,

where they come from, and what content on our website is of interest to them. We use this information for our internal analytics purposes and to improve the quality and relevance of our website to our visitors. Some of this information may be collected using cookies and similar tracking technology. For detailed information on the cookies we use and the purposes for which we use them, see our Cookie Policy.

#### **Information we obtain from third parties or publicly available sources:**

From time to time, we may receive personal information about you from third party sources, but only where we have checked that these third parties either have your consent or are otherwise legally permitted or required to disclose your personal information to us.

We use the information we receive from these third parties to enhance the services we provide to you, such as providing curated content that is relevant to services we provide you or topics you are interested in.

#### **WHO DOES CLM SHARE MY INFORMATION WITH?**

We may disclose your personal information to the following categories of recipients:

- to our group companies, third party services providers and partners who provide data processing services to us (for example, to support the delivery of, provide functionality on, or help to enhance the security of our website), or who otherwise process personal information for purposes that are described in this Privacy Policy or notified to you when we collect your personal information.
- to any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person.
- to a potential buyer (and its agents and advisers) in connection with any proposed purchase, merger or acquisition of any part of our business, provided that we inform the buyer it must use your personal information

only for the purposes disclosed in this Privacy Policy.

- to any other person with your consent to the disclosure.

#### **LAWFUL BASIS FOR PROCESSING PERSONAL INFORMATION**

Our lawful basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it. However, we will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect vital interests.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information).

Similarly, if we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

#### **HOW WE STORE AND SECURE YOUR PERSONAL INFORMATION**

We use appropriate technical and organisational measures to protect the personal information that we collect and process about you. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal information. In particular, we:

- Hold personal information in secure facilities and where the information is held electronically, on secure servers.
- Use encrypted transmission links whenever we can.
- Use other safeguards such as firewalls, authentication systems (e.g., passwords),

and access control mechanisms to control unauthorised access to systems and data.

- Regularly review our information collection, storage and processing practices, including physical security measures, to guard against unauthorised access to systems.
- Restrict access to personal information to our employees, contractors and agents who need to know that information in order to process it for us and who are subject to strict contractual confidentiality obligations. CLM may discipline or terminate individuals who maliciously acquire information, without being entitled to its access.

## **OUR WEBSITE**

CLM website provides links to third party websites. The use of your information by these third party sites is not within the control of CLM and we cannot accept responsibility for the conduct of these organizations. Other websites are not subject to our privacy standards, policies and procedures. You will need to contact or review those websites directly to ascertain their privacy stands, policies and procedures. Please Note CLM does not collect and store credit card information.

You may register with us to receive newsletters and other information. By doing so, your name and email address will be collected and stored on our database. We take care to ensure that the personal information you give us on our website is protected. For example, our website has electronic security systems in place, including the use of firewalls and data encryption. If you do not wish to receive any further information from us, or you wish to update your registration details, please email your request to us. We will endeavor to meet your request within 5 working days.

We may use cookie technology as part of our websites statistical reporting. A cookie is a small piece of information sent by a website that is saved on your hard disk by your computer's browser. It holds information a site may need to personalize your experience and to gather website statistical data, such as which pages are visited, what is downloaded, the internet provider's domain name and country that our visitors come from and the addresses of sites visited immediately before, and after, coming to our site. However, none of this is associated with you as an individual. It is measured only in aggregate. The information in the cookies lets us trace your "click

stream" activity (i.e., the paths taken by visitors to our site as they move from page to page.) Cookies do not capture your individual email address or any private information about you.

We also use standard web server log files to help us count visitors and evaluate our site's technical capacity. We use this information to find out how many people visit our site, help us arrange the pages in the most user-friendly way, keep the site browser-friendly, and to make our pages more useful to our visitors. We record information on site traffic but not information on individual visitors to our site, so no information about you in particular will be kept or used.

To browse without cookies, you can configure your browser to reject all cookies, or to notify you when a cookie is set. (Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.)

## **COOKIE PREFERENCES**

Some of the cookies that CLM sets when you visit any of our websites are essential to the working functionality of the site. Without these cookies, you would not be able to chat online, fill out a trading application, or deposit funds. Performance cookies are another type of cookies CLM uses to provide with you a better user experience and to improve how content on our website is presented. Marketing cookies are also set usually by third party advertising networks to ensure we are providing you with targeted adverts more relevant to you and your interests. If you do not want to receive non-mandatory cookies, you can manage your preferences.

## **CROSS BORDER DISCLOSURES**

Subject to certain conditions, we may transfer your personal information to a third party in different jurisdictions for further processing in accordance with the purposes set out in this Privacy Policy. In these circumstances we will, as required by applicable law, ensure that your privacy rights are adequately protected by appropriate technical, organisation, contractual or other lawful means. These include putting in place data transfer agreements for transfers of personal information between our group companies, which require all group companies to protect personal information

they process from the EEA in accordance with European Union data protection law.

### **DATA RETENTION**

Your personal information will be retained for as long as it is necessary to carry out the purposes set out in this Privacy Policy (unless longer retention is required by law). However, we will not retain any of your personal information beyond this period and the retention of your personal information will be subject to periodic review. We may keep an anonymised form of your personal information, which will no longer refer to you without time limits, to the extent that we have a legitimate and lawful interest in doing so.

### **YOUR DATA PROTECTION RIGHTS**

Subject to certain conditions, data protection law provides individuals with rights, including the right to: access, rectify, withdraw consent, erase, restrict, transport, and object to the processing of, their personal information. Individuals also have the right to lodge a complaint with the relevant information protection authority if they believe that their personal information is not being processed in accordance with the law. Further information about your rights is set out below:

- Right to obtain a copy of your personal information. You have the right to obtain a copy of the personal information we hold about you.
- Right to rectification. You may request that we rectify any inaccurate and/or complete any incomplete personal information. We will then correct our records and notify any third parties to whom such personal information may have been transmitted as described above.
- Right to data portability. You may request a copy of all personal information you have provided to us after which we will transmit those data to another data controller of your choice.
- Right to opt-out of marketing communications. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you.
- Right to withdraw consent. You may withdraw your consent to the processing of

your personal information at any time. Such withdrawal will not affect the lawfulness of processing based on your previous consent. Please note that if you withdraw your consent, you may not be able to benefit from certain service features for which the processing of your personal information is essential.

- Right to object to processing. You may request that we stop processing your personal information. Please note you may not be able to benefit from certain service features for which the processing of your personal information is essential.
- Right to erasure. You may request that we erase your personal information and we will comply, unless there is a lawful reason for not doing so.
- Your right to lodge a complaint with the supervisory authority. We suggest that you contact us about any questions or if you have a complaint in relation to how we process your personal information. However, you do have the right to contact the relevant supervisory authority directly.

### **'DO NOT CALL' REGISTER**

Unless you ask us not to contact you about products or services and not to disclose your information to others for that purpose, by accessing this website you consent to us contacting you by telephone while you hold any product or receive any services from us notwithstanding registration at any time of your telephone number on the 'do not call' register.

### **INTERNAL PROCEDURE FOR DEALING WITH COMMUNICATIONS**

The three key steps CLM follows:

- Consent - Only commercial electronic messages are sent with the addressee's consent, either express or inferred.
- Identify - Electronic messages will include clear and accurate information about the person and the company that is responsible for sending the commercial electronic message.
- Unsubscribe - We ensure that a functional unsubscribe facility is included in all our

commercial electronic messages and deal with unsubscribe requests promptly.

### **CONSENT TO SUCH COMMUNICATIONS**

Commercial messages will only be sent to you when you have given consent. This may be express consent - a direct indication that it is okay to send the message, or messages of that nature or inferred consent based on our business or other relationship with you and your conduct.

### **COMPLY WITH THE LAW REGARDING VIRAL MESSAGES**

CLM ensures that Commercial Communications that include a Forwarding Facility contain a clear recommendation that the Recipient should only forward the Commercial Communication to persons with whom they have a relationship, where that relationship means that person could be said to have consented to receiving Commercial Communications.

### **COMPLY WITH THE AGE SENSITIVE CONTENT OF COMMERCIAL COMMUNICATION**

Where the content of a Commercial Communication seeks to promote or inspire interaction with a product, service or event that is age sensitive, CLM takes reasonable steps to ensure that such content is sent to recipients who are legally entitled to use or participate in the product service or event.

### **PAYMENT PROCESSING**

Please note we do not process Visa and MasterCard payments from China or Hong Kong, as they are restricted.

CLMarkets Ltd. is determined to protect and maintain your privacy. We are privileged to be trusted with your personal information and do not wish to jeopardize that trust. However, in order to use some of our services, it's necessary for you to give us details such as your name and email address or, potentially, your street address. Please note that we do NOT store credit/debit card numbers, nor do we share customer details with any third parties.

This statement explains how and why we collect information from our users, how we use it, and how you can access or change it. This statement does not

cover third party sites we link to or which link to us. Those sites should have their own privacy policies.

There are pages where you will be requested to enter private information in order to receive specific benefits of information in response. This data may include your name, email address, and street address. If you are signing up to a paid service from us, we (or our payment provider) may additionally request your billing information, such as card details and billing address.

We also may use cookies on our site(s) in order to track your particular 'session' on our site. This is not used for contextual advertising purposes and, in general, is not directly traceable to you.

We may use your information in order to track your relationship with us and our site(s) as well as to send you emails about information you have requested or other information or promotions specifically relevant to CLM and its activities. Essentially, your data will only be used for the specific purposes for which it was collected (as per the Data Protection Act 1998 (UK)).

We may, occasionally, send surveys or even direct one-to-one mail in order to manage our customer service processes. We do NOT share your information with third parties, we do NOT share your email addresses with sponsors or any third parties, and we do NOT run exclusive 'sponsored' emails on behalf of third parties. Please note that we do not store credit/debit card numbers nor do we share customer details with any third parties.

Information will not be disclosed to other parties without the consent of the individual whom it is about, unless there is legislation or other overriding legitimate reason to share the information (for example, the prevention or detection of crime).

Merchant will not sell, purchase, provide, exchange or in any other manner disclose Account or Transaction data, or personal information of or about a Cardholder to anyone, except, it's Acquirer, Visa/Mastercard Corporations or in response to valid government demands.

### **REFUND POLICY**

A refund request will only be considered if it is requested within the first twenty-four (24) hours of the alleged transaction, or within thirty (30) days if a user alleges that another individual (or a minor) has accessed his/her account. A refund will be paid out

within three (3) working days once refund conditions are met. A refund will be processed only the same way it was received.

### **COMPLAINTS RESOLUTIONS**

Please contact our Privacy Officer if you wish to complain about any breach or potential breach of your privacy rights. Your complaint will be responded to within 7 days. If you are not satisfied with the outcome of your complaint, you are entitled to engage legal counsel.

CLM may record telephone conversations between you and persons working for CLM. Such recordings, or transcripts from such recordings, may be used for training purposes and to assist with the resolve of any dispute between you and CLM.

### **UPDATES TO THIS PRIVACY POLICY**

We may update this Policy from time to time in response to changing legal, technical or business developments. When we update our Policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make.

You can see when this Policy was last updated by checking the "updated" date displayed below.

### **DISCLAIMER**

CLMarkets Ltd. registered in St. Vincent and the Grenadines, IBC No. 24750-IBC-2018 is an issuer of Derivatives: Exchange traded and Over the Counter (OTC) Margin FX Contracts, CFD products and Options.

Privacy Policy - Updated November 2019.

### **CONTACT DETAILS**

**Contact:** CLMarkets Ltd.

**Address:** Suite 305, Griffith Corporate Centre, Beachmont, Kingston, St. Vincent and the Grenadines

**Telephone:** +44 2 035 146 538

**E-mail:** support@clmforex.com