

currency.com

PRIVACY POLICY, 31 JULY 2021

Introduction

Welcome to the Currency.com's privacy policy (“**Privacy Policy**”).

Please note that this document is relevant for **SMART MARKET TRADER LLC**, a company incorporated in Saint Vincent and the Grenadines with company number 1291 LLC 2021 (“**Currency.com**”, “**we**”, “**us**” or “**our**”). If you are served by other Currency.com Group entity or entities, please refer to the respective policy published on our website at www.currency.com.

We respect your privacy and we are committed to protecting your personal data. This Privacy Policy will inform you as to how we look after your personal data when you visit our website (available at www.currency.com) and our mobile applications (together, the “**Platform**”) and tell you about your privacy rights and how the law protects you.

1. Important information and who we are

Purpose of this Policy

This Privacy Policy aims to give you information on how Currency.com collects and processes your personal data, including any data you may provide to us when accessing the Platform and using any of the services which we offer through the Platform (“**Services**”).

The Platform is not intended for any person under 18 years of age (or as the case may be, a higher age if his/her relevant jurisdiction requires a higher age as the age of majority) (“**Minors**”) and we do not knowingly collect data relating to Minors.

It is important that you read this Privacy Policy together with any other policy which we may publish and direct to you from time to time, as this Privacy Policy supplements other notices and policies and is not intended to override them.

Controller

Currency.com is made up of different legal entities. This Privacy Policy is issued on behalf of **SMART MARKET TRADER LLC**, a company incorporated in Saint Vincent and the Grenadines with company number 1291 LLC 2021, so when we mention “Currency.com”, “we”, “us” or “our” in this Privacy Policy, we are referring to this particular company in the Currency.com Group responsible for processing your data. Therefore, if you are served by **SMART MARKET TRADER LLC**, it is the controller and responsible for your Personal Data.

We have appointed a data protection manager (“**Data Protection Manager**”) who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy

Policy, including any requests to exercise your rights (as more thoroughly described below), please contact us using the Contact Details set out here below.

Contact Details

If you have any questions about this Privacy Policy or our privacy practices, please contact our Data Protection Manager in the following ways:

Data Protection Manager

Email address: privacy@currency.com

Changes to Privacy Policy and your duty to inform us of any change to your information

We keep our Privacy Policy under regular review, and you may find the date this Privacy Policy was last revised at the beginning of this document.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third-party links

This Platform may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites (including any plug-ins, web applications and mobile applications) and are not responsible for their privacy statements. When you leave our Platform, we encourage you to read the respective privacy policy of every website you visit.

2. What data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes full name or its parts, username or similar identifier, marital status, title, date and place of birth, nationality, tax number, gender, information from your identity document(s), employment status and related information and your pictures / pictures of your identity or other document(s) we may request from time to time.
- **Contact Data** includes billing address, residential address, email address and telephone number.
- **Financial Data** includes bank account and payment card details, virtual currency wallet address(es) and source of funds and wealth.

- **Transaction Data** includes details about payments to and from you in relation to our Services.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this Platform.
- **Profile Data** includes your username and password, orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you access our Platform and use our Services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific Platform feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you (please refer to our Terms of Use), and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with access to our Services). In this case, we may also have to cancel or suspend your access to our Services, but we will notify you if this is the case at the time.

3. How is your personal data collected

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data (as defined above) by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - create and verify an account on our Platform;
 - access our Platform and use our Services;

- request marketing to be sent to you; or
 - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our Platform, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We may collect this personal data by using cookies, server logs and other similar technologies.
 - **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources including but not limited to social media, search engines, Companies House, Electoral Register, KYC service providers (including e-KYC) and screening data vendors.

4. How we use your personal data

commonly, we will use your personal data in the following circumstances:

- Where we need to **perform the contract** (in this case, our Terms of Use) we are about to enter into or have entered into with you.
- Where it is necessary for **our legitimate interests** (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to **comply with a legal obligation**.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract. In order to access our Platform and Services you will first have to enter into a contract with us governing our relationship.

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best Services and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to (for instance, AML/CFT obligations).

Generally, we do not rely on consent as a legal basis for processing your personal data.

Purposes for which we use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a customer, verify your identity and provide you with a live account on the Platform	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation
To perform an ongoing due diligence and monitoring of your activity under the AML/CFT requirements	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Technical (f) Profile	Necessary to comply with a legal obligation
To protect you, our company and other persons against fraud	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Technical (f) Profile (g) Usage	(a) Necessary to comply with a legal obligation (b) Performance of a contract with you (c) Necessary for our legitimate interests (to keep the integrity of our Platform and the Services)
To provide you with the Services: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)

	(e) Marketing and Communications	
To manage our relationship with you which will include: (a) Notifying you about changes to our Terms of Use, privacy and other policies in place (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our Services)
To administer and protect our business and this Platform (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our Services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our Platform, Services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our Services, to keep our Platform updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about Services that may be of interest to you, and	(a) Identity (b) Contact (c) Technical	Necessary for our legitimate interests (to develop our Services and grow our business)

provide you with exclusive offers	(d) Usage (e) Profile (f) Marketing and Communications	
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Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We have designed a dedicated section on the Platform which allows you to view and decide how we use your personal data for marketing purposes. You have the right to withdraw consent to marketing at any time by changing your Notifications preferences in your account Settings.

Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which Services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or accessed certain Services from those available on our Platform and you have not opted out of receiving that marketing.

Third-party marketing

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time through the Platform by either: checking or unchecking relevant boxes to adjust your marketing preferences in your account, by following the opt-out links on any marketing message sent to you, or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of Service purchase, Service experience, or other transactions.

Cookies

You can set your browser (and some mobile devices) to refuse all or some browser cookies (including server logs and other similar technologies) or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the Platform may become inaccessible or not function properly.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your personal data

We may share your personal data with the certain parties as set out below:

- Internal Third Parties (Affiliated companies of Currency.com Group).
- External Third Parties (Third-party service providers, including financial institutions, KYC and anti-fraud service providers, auditors, regulators, law enforcement).
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

We may share your personal data within the Currency.com Group. This may involve transferring your data outside the European Economic Area (EEA).

Please also note that some of our external third parties are based outside the EEA as well, so their processing of your personal data will also involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.

- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in the EU.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for a minimum of five (5) years after they cease being customers for compliance purposes.

In some circumstances you can ask us to delete your data – please see section 9 below for further information about this.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

9. Your legal rights

Under certain circumstances, you may enjoy certain rights under data protection laws in relation to your personal data; these rights are as follows:

- a) **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- b) **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- c) **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- d) **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- e) **Request restriction** of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - If you want us to establish the data's accuracy.
 - Where our use of the data is unlawful but you do not want us to erase it.
 - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
 - You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- f) **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- g) **Withdraw consent** at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw

your consent. If you withdraw your consent, we may not be able to provide certain Services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at privacy@currency.com.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.