



PRIVACY POLICY

Applicability

This Document is effective from 1st March 2023 and shall remain effective until a more recent version is released. Finalto reserves the right to amend or supplement this Document at any time. This Document does not replace our Standard terms of business which we ask that you read carefully before you enter into any trading. The English version of this agreement is the governing version and shall prevail whenever there is any discrepancy between the English version and the other versions.

The information contained herein is the property of Safecap Investments Limited, under the brand Finalto Europe, and its associated entities and may not be copied, used or disclosed in whole or in part outside of the group of companies without prior written permission.

The protection of privacy and the safeguarding of our Clients' personal and financial information is of great importance to us. If you have any questions about this Privacy Policy or the processing of your Personal Information, please contact us at privacy@finalto.com or by sending a letter to our offices in Cyprus at the following address: 148 Strovolou Ave., Strovolos, 2048 Nicosia, Cyprus.

Safecap Investments Limited is a company incorporated under the laws of Cyprus, the registered office of which is at 148 Strovolou Avenue, Strovolos, 2048 Nicosia, Cyprus ("Safecap") and is an investment services firm regulated in the conduct of its activities by the Cyprus Securities and Exchange Commission ("CySEC") under license number 092/08 and its activities include the receipt, transmission and execution of client orders in financial instruments, including through the use of electronic trading platforms.

Finalto Europe is a brand used and owned by Safecap.

PLEASE VIEW THE FOLLOWING PRIVACY POLICY STATEMENT WHICH CLEARLY EXPLAINS HOW WE COLLECT, PROCESS, STORE AND PROTECT OUR CLIENTS' INFORMATION.

References in this Policy to "**Personal Data**" are references to "Personal Data" as defined in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as "GDPR").

References in this document to "**Associate**" are references to an undertaking being a member of our Group, a representative whom we or another undertaking of our Group appoint, or any other person with whom we have a contractual, agency or other relationship that might reasonably be expected to give rise to a community of interest between us and them.

References in this document to "**Group**" are references to any entity controlled by or controlling Safecap and entities under common ownership and control with Safecap where "control" means direct or indirect control, of at least 50% of the voting rights or capital of an undertaking.

When collecting, processing and storing Personal Data provided by you, we are subject to the provisions of the GDPR and relevant Personal Data Protection Laws and regulations.

We, our Associates, any persons deriving rights from us or our Associates, any members of our Group, agents or sub-contractors which we engage or work through for the purpose of collecting, storing and processing Personal Data and any third parties acting on our or their behalf ("**Third Parties**") may collect, process use and store Personal Data provided by you for the purposes of, or related to, carrying out the transactions and other services which we provide to you, operational support and

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development of our or their businesses, providing us or them with professional or other services, in enforcing our or their contractual or other rights, and for the purposes of enabling compliance with the contractual, legal and regulatory provisions anywhere in the world to which we or our Associates and Third Parties are subject. By opening an account, you hereby consent to such collection, processing, storage and use of Personal Data by us, our Associates or Third Parties in accordance with the provisions contained herein and agree that processing and storage of Personal Data provided to us by you may be carried out in or from any jurisdiction within or outside of the European Union including in or to countries or territories which do not offer the same level of protection of Personal Data as is enjoyed within the European Union.

You further represent and undertake that where you are a non-physical person providing to us Personal Data of any individual or where you are an individual providing us with Personal Data of any individual other than yourself, by opening an account with us you thereby undertake and represent that such person, whose Personal Data is collected, stored and processed in accordance with the provisions contained herewith, has been informed of and has given their consent to such collection, storage and processing of their Personal Data in accordance with the provisions contained herein and that they have been informed of their rights in relation to their Personal Data which is held and processed in accordance with the provisions contained herein.

For the purposes of GDPR, Safecap acts as a data controller in respect of the Personal Data that we collect from you.

COLLECTION OF PERSONAL INFORMATION

Safecap collects the necessary information required to open, transact and safeguard your assets and your privacy and to provide you with the services you require. To this end, Safecap gathers information from you and may, in certain circumstances, gather information from relevant banks and/or credit agencies, and/or other sources (such as ID3Global) which help us profile your requirements and preferences and provide better services to you. The information Safecap collects may include:

1. Application information

Personal information you provide us in your application form, such as your name, address, date of birth, email address, income and income source etc. in order to facilitate the evaluation of your application. The information you provide us is also used for the purposes of communicating with you.

2. Transaction information

Information about the anticipated volume and value of your transactions with us and income information provided in order to enable the construction of your economic profile.

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3. Verification information

Information necessary to verify your identity, such as an identification card, passport or driver's license. This also includes background information we receive about you from public records or from other entities not affiliated with Safecap.

Additional information we may collect:

We may (but not necessary shall) also collect the following information:

(i) name, contact information and message if you contact us or participate in any survey, contest or promotion;

(ii) details such as traffic information, location data and other IT communication data (including IP address and browser type) collected when you access and use our electronic trading platforms (the "Platforms");

(iii) information about devices that you use when accessing the Platforms including unique device identified;

(iv) pages (including the website and all of their inner pages/Landing pages) visited and content viewed, links and buttons clicked, URLs visited before and after you visit our website. For more information about cookies and how to manage them please see our [Cookie Policy](#);

(v) Information about the anticipated and actual volume and value of your transactions with us, payment methods information provided in order to enable the construction of your economic profile;

(vi) your telephone or Live Chat conversations with our customer support specialists;

(vii) your responses to our marketing campaigns (e.g. open/click on our promotional or marketing emails whether sent by ourselves or any third-party service providers);

(viii) information from third party databases to comply with our legal and regulatory obligations. Information necessary to verify your identity, such as an identification card, passport or driver's license. This also includes background information we receive about you from public records or from other entities not affiliated with Safecap.

USAGE OF PERSONAL INFORMATION/OPT OUT

Safecap uses Personal Data only as required to provide quality service to you. This information helps improve services, customize browsing experience and enables us subject to any preferences you

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have expressed (where applicable), to inform you of additional products, services or promotions relevant to you and the products and services you require and you consent to us using this data for such purposes. Marketing communications sent by us or by our Associates will include instructions on how to opt-out of such communications.

Except where we use your Personal Data for marketing purposes on the basis of your prior expressed and informed consent and subject to any opt out preferences you notify to us in respect of marketing communications, we process Personal Data for marketing purposes only as necessary on the lawful basis and for the purpose of our legitimate interests in promoting our products and services to you.

If you do not want to receive information of this nature for any reason, please contact us at the following address: privacy@finalto.com or by sending a letter to our offices in Cyprus at the following address: 148 Strovolou Ave., Strovolos, 2048 Nicosia, Cyprus.

PROTECTION OF PERSONAL INFORMATION

Any personal information you provide us will, subject to our Institutional Client Trading Agreement, be treated as confidential and shared only within Safecap and its Associates and will not be disclosed to any third party except under any regulatory or legal proceedings.

The personal information that you provide in connection with registering yourself as a Client of Safecap is protected in many ways. You can access your registration Information through a password selected by you. This password is encrypted and known only to you and shall not be revealed to anyone else.

Registration Information is safely stored on secure servers that only authorised personnel have access to via password. Safecap encrypts all personal information as it is transferred to Safecap and thus makes all necessary efforts to prevent unauthorised parties from viewing any such information.

HOW LONG DO YOU RETAIN THE PERSONAL DATA?

Once your Agreement with us terminates, we shall keep your Personal Data provided to us, including but not limited to your name, address, email, phone number, your trading and transaction history, deposits and withdrawals history, for at least 5 (five) years, as is required under Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (“MiFID II”). Where we keep and process your personal data for marketing purposes based on your consent, we shall retain it until your consent is withdrawn or ceases to be valid.

However, depending on your country of residence and/or citizenship, there may be different statutes of limitation in force. A “statute of limitations” is a statute prescribing a period of limitation for the

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bringing of actions or claims of certain kinds, which means that, depending on the jurisdiction, you have the right to bring a claim against Safecap in connection with your trading with Safecap only during a certain period of time (the “Limitation Time”). We have a legitimate interest in retaining your personal information (such as your ID, address, transactional and trading history with us and records of your communications with us) in order to enable us to defend ourselves against any such claim that you may have. Accordingly, such personal information shall be retained by us after the date of expiration or termination of the Agreement during the Limitation Time.

WITH WHOM DO WE SHARE YOUR PERSONAL DATA?

Your personal information may be transferred or disclosed to any company within the Group or, subject to appropriate agreements and arrangements to ensure data protection, to third parties, for the processing of that personal information based on our instructions and in compliance with this policy and any other appropriate confidentiality and security measures.

1. Within the Group

Safecap may share information to the Associates within its Group and their respective legal, accounting, tax and financial advisors in the event such information is reasonably required by such Associates for the following purposes:

- Account set up, verification and management;
- Marketing and event;
- Risk management; and
- Legal and regulatory obligations.

Where we share your personal data within the Group, we may share it, and you consent to us sharing it, with the following Associates:

- a) Finalto Financial Serviced Limited, a company incorporated in the United Kingdom, our liquidity provider and hedging counterparty, for the purposes of hedging of our trading exposure to you;
- b) Finalto Financial Services Limited, a company incorporated in United Kingdom, as the provider of dealing services to us;
- c) Lane Square Enterprises Limited, a company incorporated in the Isle of Man, a provider of IT technology services to us
- d) Finalto (Israel) Limited, a company incorporated in Israel, a provider of IT development and IT maintenance services to us; and

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e) KSTT Services Ltd, a company incorporated in Ukraine, a provider of IT development and IT security services to us.

Each of the above Associates is under 100% control of the Group.

2. Non-Affiliates Third Parties

Safecap does not sell, license, lease or otherwise disclose personal information to third parties, except as described in this Privacy Statement.

Safecap reserves the right to disclose information as necessary to credit reporting or collection agencies as reasonably required in order to provide the services to you.

To help us improve our services, Safecap may engage third parties to help carry out certain internal functions such as account processing, fulfillment, client service, client satisfaction surveys or other data collection activities relevant to our business. Use of the shared information may also be used to provide professional, legal, or accounting advice to Safecap. Use of shared information is strictly limited to the performance of the above and is not permitted for any other purpose. All third parties with which Safecap shares personal information are required to protect such personal information in accordance with all relevant legislation and in a manner similar to the way Safecap protects the same. Safecap will not share personal information with third parties which it considers will not afford its Clients the required level of protection.

Where you have been introduced to us by a Business Introducer, such Business Introducer may have access to your personal information. You hereby unambiguously and unequivocally consent to the sharing of personal information with such Business Introducer.

Furthermore, and for the purposes of fulfilling our regulatory requirements concerning transaction reporting, we are sharing your data with the following third parties:

- a) MAP Financial Technologies (Europe) Limited, a company incorporated in Cyprus, reference number HE 328705; and
- b) UnaVista Tradecho B.V., a company incorporated in the Netherlands and regulated by the European Securities and Markets Authority as an approved Trade Repository.

Personal information to which read-only access may be given includes information such as name, residency details, contact details (such as email and phone number) and trading activity. If you do not wish for your data to be shared with the third-party business introducer, you can withdraw your consent by notifying us via email.

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REGULATORY DISCLOSURE

We will share with third parties your personal information when we believe it is required to so for legal and regulatory reasons, including but not limited to:

- i. To comply with our legal obligations and respond to requests from government agencies, including law enforcement and other public authorities, which may include such authorities outside your country of residence. Without limitation to the generality of the foregoing, Safecap, as a regulated Cyprus Investment Firm, is required to comply with certain obligations under the Intergovernmental Agreement between Cyprus and the United States and has taken all reasonable steps to be considered in compliance with The Foreign Account Tax Compliance Act (FATCA), the OECD Common Reporting Standard (“CRS”) as well as any obligations arising under any laws or regulations of the United States Internal Revenue Service (“IRS”) to which we are required to adhere to;
- ii. In the event of a merger, sale, restructure, acquisition, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings); and
- iii. To protect our rights, customers, systems, and Platforms.

The Client acknowledges and accepts that Safecap is required to disclose information in relation to any US reportable persons to the relevant authorities, in accordance with the reporting requirements of FATCA. The Client may contact Safecap for additional information or clarifications prior to the signing of this Agreement.

Countries outside the European Economic Area (“EEA”) do not always have strong data protection laws. Where we transfer your personal information from the EEA to other countries in which applicable laws do not offer the same level of data privacy protection as the EEA states y, we take measures to provide an appropriate level of data privacy protection. For example, we use the approved Standard Contractual Clauses (as amended from time to time) as well as other measures designed to ensure that the recipients of your personal information protect it. We take steps to ensure that the information we collect is processed according to this privacy policy and the requirements of the applicable laws.

YOUR RIGHTS UNDER GDPR

Under the GDPR, you, as a data subject have certain rights which are detailed below. Some of these only apply under specific circumstances and are qualified in several respects by exemptions in data

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protection legislation. We will advise you in our response to your request if we are relying on any such exemptions.

- i. **Access to Personal Data:** You have a right to request a copy of the personal information that we hold about you. Should you wish to make such a request, please contact us via email at privacy@finalto.com or by sending a letter to our offices in Cyprus at the following address: 148 Strovolou Ave., Strovolos, 2048 Nicosia, Cyprus. You should include adequate information to identify yourself and such other relevant information that will reasonably assist us in fulfilling your request. Your request will be dealt with as soon as possible.
- ii. **Correction of Personal Data:** You can request us to rectify and correct any Personal Data that we are processing about you which is incorrect.
- iii. **Right to withdraw consent:** Where we have relied upon your consent to process your Personal Data, you have the right to withdraw that consent. Should you wish to make such a request, please contact us via email at privacy@finalto.com or by sending a letter to our offices in Cyprus at the following address: 148 Strovolou Ave., Strovolos, 2048 Nicosia, Cyprus.
- iv. **Right of erasure:** You can request 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 retain your data as described in Section 4 above).
- 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 that Personal Data to another organisation. You may have the right to have your Personal Data transferred by us directly to the 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 to processing of Personal Data:** You have the right to object to our 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. This right means you can request that we involve one of our employees or representatives in the decision-making process. We are satisfied that we do not make automated decisions of this nature.
- ix. **Right to lodge a complaint:** You have the right to lodge a complaint with Safecap or with a supervisory authority.

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RESTRICTION OF RESPONSIBILITY

Safecap is not responsible for the privacy policies or the content of sites Finalto or <https://liquidity.finalto.com/eu> links to, and has no control of the use or protection of information provided by Client 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 information. Please note that such information is recorded by a third party and will be governed by the privacy policy of that third party.

USE OF "COOKIES"

Our website, uses cookies to distinguish you from other users. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies.

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 agree. Cookies contain information that is transferred to your computer's hard drive.

We use the following cookies:

Strictly necessary cookies. These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website.

Analytical/performance cookies. They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.

Functionality cookies. These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).

Targeting cookies. These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

For more information on cookies please see our [Cookie Policy](#).

Safecap may share website usage statistics with reputable advertising companies and with its affiliated marketing companies. The information collected by the advertising company is not personally identifiable.

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PRIVACY POLICY UPDATES

From time to time, Safecap may update this Privacy Policy. In the event Safecap materially changes this Privacy Policy including how we collect, process or use your Personal Data, the revised Privacy Policy Statement will be posted on the website while keeping you informed. Any dispute over our Privacy Policy Statement is subject to this Notice and our Terms and Conditions. Safecap encourages Client to periodically check back and review this policy so that Client will always know what information Safecap collects, how Safecap uses it, and to whom Safecap may disclose it.

AGREEMENT

I have read, understood and agree with the terms of this Privacy Policy Statement, and I confirm that I have full power and authority to be bound by the terms of this Privacy Policy Statement. For any queries or further information in relation to this Privacy Policy please [Contact Us](#), via email at privacy@finalto.com or by sending a letter to our offices in Cyprus at the following address: 148 Strovolou Ave., Strovolos, 2048 Nicosia, Cyprus.

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