

A faint, light gray candlestick chart is visible in the background, showing price fluctuations over time. The chart consists of numerous vertical bars with wicks, typical of a financial market chart.

PRIVACY POLICY

VS 7.0 SEPTEMBER 2022

1. INTRODUCTION

TopFX LTD (hereinafter called the “Company”), is a Cyprus Investment Firm (“CIF”), incorporated in the Republic of Cyprus with registration number HE 274180, its headquarters are at 19 Stratigou Timagia, 3rd Floor, 3107 Limassol, Cyprus and is authorized and regulated by the Cyprus Securities and Exchange Commission (“CySEC”) under license number 138/11.

The Company recognizes the significance and is fully committed to the task of protecting your privacy and safeguarding your Personal Data as this obligation derives from the European General Data Protection Regulation EU 2016/679 (hereinafter ‘GDPR’) and the Law providing for the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data of 2018, L. 125(I)/2018 as it is amended from time to time (hereinafter the “Law”). In the light of this, this Privacy Policy (hereinafter called the “Policy”) sets out the purposes and means of processing of your Personal Data by the Company.

The Policy is directed to natural persons who are:

- a. Current, potential or past clients of the Company;
- b. Beneficial owners or authorized representatives/agents of legal entities which are current, potential or past clients of the Company.
- c. Authorised representatives/agents of natural persons who are current, potential or past clients of the Company.

By accepting this Privacy Policy (hereinafter the “Policy”) you are entering into a contractual agreement with the Company which collects, uses and manages personal information from its visitors and current, potential or past clients who are accessing or using the Company’s website(s) and/or mobile applications. The Policy applies to all Personal Data that the Company holds relating to identifiable individuals.

You are strongly advised to read this Policy carefully, as it is part of the Company’s Terms of Business as applicable and shows how the Company complies with the provisions of the GDPR and the Law.

The Company is the data controlling entity for the purposes of this Policy as it determines the purposes and means of the processing.

2. PERSONAL DATA

Pursuant to Article 4 of GDPR ‘Personal Data’ means any information relating to an identified

or identifiable natural person ('data subject') who in turn is defined as an one who can be distinguished 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.

The Company will gather various types of information, which includes information identifying the Client ("Personal Data").

Article 5 of the GDPR introduces a set of principles that need to be followed during the processing of the Personal Data. In accordance these principles, the Personal Data shall be:

- processed fairly, lawfully and in a transparent manner;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- processed in a manner that ensures appropriate securities of the personal, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage.

2.1 Purposes for which the Company is Collecting, Using, Storing and/or Processing your Personal data?

The Company, as a CIF regulated by the CySEC, will collect, use, store and transfer different Personal Data for the purposes of providing its services to its clients and ensure that the Company complies with its legal obligations. Therefore, if the client fails to provide the Company with some information that the Company may request, is likely that the Company may not be able to provide the client with its products and/or services. It is Client's responsibility to provide the Company with accurate and up to date information.

2.2 What Personal Data the Company Collects and/or Processes about you?

The below list includes the type of personal data we may need from you:

- **personal data for identity purposes** such as name, maiden name, last name, proof of identity, username or similar identified, marital status, title, date and place of birth and gender, country of residence and citizenship

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- **personal data for professional purposes** such as the level of education, profession, employer name, work experience in Forex/CFDs, information on Client's experience, knowledge in the financial services sector and risks.
- **personal data for tax and financial purposes** such as the country of tax residence and tax identification number, your annual income, net worth, source of funds, anticipated account, turnover, bank account, bank statements, payment card details and copies, e-wallet information.
- **transaction data** such as details about payments to and from you and other details of products and services you have purchased from us, deposit methods, purpose of transactions with us.
- **technical data** such as 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 website or data regarding the usage of our website, products and services
- **profile data** such as username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses and marketing and communication data such as your preferences in receiving marketing from us and our third parties and your communication preferences.

In addition, the Company may collect and process Personal Data which lawfully obtains from publicly available sources such as the internet, the media, the press, the Department of Registrar of Companies and Official Receiver, the Land Registry and the Bankruptcy Archive.

The Company may also process sensitive personal information such as information about criminal convictions and offences for employment purposes to the extent permitted by laws and required for the performance of our legal obligations.

2.3 Use of Personal Data

The Company collects and process Personal Data which are required for the evaluation. Establishment and maintenance of the contractual relationship between the Company and the client and in order to comply with the applicable aforementioned data protection legislation and regulations governing the provision of investment services. In some cases, the Company may also process client's Personal Data to pursue its legitimate interests or those of third parties, provided that your interests and fundamental rights are not overridden by those of the Company or the third party.

Reason of Using your Personal Data**a. Legislation:**

- to confirm/verify your identity;
- to assess your appropriateness/suitability to the products and services the Company provides;
- to process your transactions;
- to provide you with transaction and post transaction related services;
- to identify, assess, mitigate, prevent and investigate fraudulent activity of any kind that is forbidden by the relevant legislation;
- to identify, assess, mitigate, prevent and investigate fraudulent activity of any kind that is forbidden by the relevant legislation;
- to meet our Anti-Money Laundering (AML) and other regulatory obligation in relation to Know Your Customer (KYC) and client due diligence deriving from local and international rules and regulations.;
- to inform you about your transaction process which includes confirmation emails in regards to your deposit, withdrawal and post transaction reports.

b. Contract:

- to manage the account you hold with the Company;
- to keep you updated on the issues that are relevant to your business relationship with us;
- to analyze statistical data to enable us to provide you with better products and/or services;
- to enhance the security controls of the Company's networks and systems;
- to defend possible legal claims against the Company;
- to provide you information regarding your Trading Activity which includes Margin Calls, Stop Profit, Price Alerts and any functions in regards to your Trading Activity with our Company.

c. Consent:

- to inform you of products and/or services that may be of interest to you.

2.4. For how long does the Company keeps Personal Data

The company will keep personal data for no longer than necessary for the purposes of which the Personal Data is processed.

In accordance with the Company's legal obligations, Personal Data will be kept in the Company's client records for a period of at least five years from the date of the termination of the business relationship. The Company may keep Personal Data for longer than five years in cases where the personal data cannot be deleted for any legal or regulatory reasons.

The Company will ask for your consent in regards to the provision of marketing information in relation to the products and services offered. Your consent is provided by accepting the terms set out in this Privacy Policy.

You may withdraw such consent at any given time by contacting the Company at any of the contact details provided at the end of this Privacy Policy.

The Company shall not disclose to a third party, any of its clients' confidential information unless required to do so by a regulatory authority of a competent jurisdiction; such disclosure shall occur on a 'need-to-know' basis, unless otherwise instructed by a regulatory authority. Under such circumstances, the Company shall expressly inform the third party regarding the confidential nature of the information.

2.5. How the Company Collects and/or Processes your data?

The Company may collect your personal data via different methods and therefore, process personal data you provide us directly and/or collects information as a result of automated technologies, interactions and/or from third parties via publicly available sources.

Specifically, information you provide to us directly may include your identity, contact and financial information by registering for an account with TopFX, when you participate in any interactive features of the services the Company provides, when you fill out a form the Company provides you with, when you apply for a job, when you communicate with the Company by sending your request to customer support or otherwise.

By using the Company's website, the Company may automatically collect technical data about your equipment, browsing actions and patterns. As per the Company's Cookies Policy, the Company collects this personal data by using cookies and other similar technologies. The Company may receive technical data about you if you visit other websites employing the Company's cookies.

Finally, Personal Data may be such as technical data from analytics providers such as Google based outside of EU, contact, financial and transaction data from providers of payment services

based inside and outside the EU and identity and contact data from individual and publicly available sources such as LexisNexis.

2.6. Cookies

Cookies are small text files, given ID tags that are stored on your computer's browser directory or program data subfolders. Cookies are created when you use your browser to visit a website that uses cookies to keep track of your movements within the site, help you resume where you left off, remember your registered login, theme selection, preferences, and other customization functions. The website stores a corresponding file (with same ID tag) to the one they set in your browser and in this file they can track and keep information on your movements within the site and any information you may have voluntarily given while visiting the website, such as email address.

Cookies are often indispensable for websites that have huge databases, need logins, have customizable themes, other advanced features.

Cookies usually don't contain much information except for the URL of the website that created the cookie, the duration of the cookie's abilities and effects, and a random number. Due to the little amount of information a cookie contains, it usually cannot be used to reveal your identity or personally identifying information.

There are three categories of cookies: essential, functional and marketing cookies. Essential cookies are necessary for the website to function correctly and cannot be switched off, functional allow the website to remember users' preferences and the choices the Company makes on the website such as username, region and language and marketing cookies are used to track visitors across the Company's websites and show you more relevant ads and include third-party cookies from third-party services providers (hereinafter "partners"),

The TopFX website issues cookies upon landing on our website, unless the user has changed their cookie settings in their browser to refuse cookies. Please note that with cookies switched off, some areas of our website and services might not be made available to you.

TopFX does not use cookies to personally collect information about you. The cookies that the Company use only collect anonymous information to optimize our services and do not collect personal information.

3. DISCLOSURE OF PERSONAL DATA

Any personal information is treated as confidential and may be shared within the Company and its partners to meet its contractual and legal obligations. Contractual relationships exist with

the Company's partners aiming to safeguard the Client's Personal Data in accordance with the GDPR and the Law. Our Company partners maintain the privacy of your information to the same extent the Company does in accordance with the Policy.

Non-affiliated companies that assist the Company in providing services to you are required to maintain the confidentiality of such information and to use your personal information only in the course of providing such services for the purposes that the Company dictates and within the ambit of the applicable law.

Recipients of Personal Data may be for example:

- technological experts that appointed by the Company to support the smooth operation of our systems
- platform providers
- payment service providers/credit institutions for facilitating the incoming and outgoing payments of the Clients
- governmental authorities and regulatory bodies
- fraud prevention agencies, third party authentication service providers, verification/screening service providers
- data reporting service providers to meet our regulatory obligations
- external consultants such as Internal and External Auditors
- Data Protection Officer of the Company who may be outsourced

The Company does not allow any 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 the Company's instructions. The Company takes appropriate protective measures if Personal Data are disclosed to a third party. The third parties that the Company may transmit Personal Data shall comply with the GDPR or the equivalent legislation of their home member state.

4. TRANSFER PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC AREA

In general, the Company does not transfer your Personal Data outside the European Union ("EU") or the European Economic Area ("EEA") unless it has a legitimate reason to do so, such as when it has client's explicit consent or when such transfer is required by the local and/or international laws and regulations.

In case the Company transfers your Personal Data outside the boundaries of EU or the EEA, the Company's aim will be to safeguard Personal Data. According to GDPR, Personal Data can be transferred outside the European Economic Area if adequate protective measures established. In the light of the above, the Company ensures that the organization receiving the data provides the required level of protection in accordance with the provisions of the GDPR.

Analytics

The Company may use third-party service providers to monitor and analyze the use of our Service.

- **Google Analytics**
- Google Analytics is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Service. This data is shared with other Google services. Google may use the collected data to contextualize and personalize the ads of its own advertising network.
- For more information on the privacy practices of Google, please visit the Google Privacy & Terms web page: <https://policies.google.com/privacy?hl=en>
- **Facebook**
- **Brands IOS**

5. PERSONAL DATA RIGHTS

Our clients have the following rights in respect of their Personal Data in accordance with the GDPR:

- **Right of Access:** You have the right to be informed whether the Company is processing your Personal Data and if so, to provide you with a copy of that Data as well as all the available information concerning its processing.
- **Right to rectification:** You can request to rectify your Personal Data which is inaccurate or incomplete.
- **Right to Erasure (“Right to be Forgotten”):** You should contact in writing the Company by sending an email to support@topfx.com and let them know what personal data you want them to delete. However, in some circumstances the data may not be deleted in order for the Company to comply with its legal obligations.
- **Right to Restrict Processing:** You can request to restrict the processing of your personal

data in certain circumstances. This means that you can limit the way that the Company uses your data. This is an alternative to requesting the erasure of your data. You have the right to restrict the processing of your personal data where you have a particular reason for wanting the restriction. This may be because you have issues with the content of the information that the Company holds or how the Company has processed data

- **Right to data portability:** You can request to obtain your Personal Data in a readable format and transmit to another data controller without hindrance from the Company.
- **Right to Object:** You can request from the Company to stop processing your Personal Data, and the Company will do so if a) the Company cannot demonstrate compelling legitimate grounds for the processing or b) the Company is processing Client's Personal Data for marketing purposes.
- **Right related to automated decision-making including profiling:** You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects of affects you in a similar manner, provided that certain conditions are satisfied.
- **Right to complain:** If you have grounds to believe that the Company does not appropriate use your Personal Data, you can submit a complaint by sending an email to the Company via the following email support@topfx.com. You can also make a formal complaint to the Office of the Commissioner for Personal Data Protection of the Republic of Cyprus (www.dataprotection.gov.cy).
- **Right to withdraw consent:** As provided above you have the right, at any time, to withdraw your consent. However, in this case the Company may not be able to provide certain products or services to you. The Company will advise you if this is the case at the time you withdraw your consent.

You can exercise any of the above rights by sending an email to support@topfx.com.

6. RECORD KEEPING: RECORDING OF TELEPHONE CONVERSATIONS AND ELECTRONIC COMMUNICATION

The Company records, monitors and processed any telephone conversations and/or electronic communications between the Company and you such as through phone, fax, email, social media, electronic messages, either initiated from the Company's side or your side. All such communications are recorded and/or monitored and/or processed by the Company including any telephone conversations and/or electronic communications that result or may result in transactions or your order services even if those conversations or communications do not result

in the conclusion of such transactions. The content of relevant in person conversations and/or communications with you may be recorded by minutes or notes.

7. SECURITY

The privacy and confidentiality of your personal information is of fundamental importance to us. The Company takes all appropriate security measures to protect against unauthorised access to or unauthorised alteration, disclosure or destruction of data and personal information.

The Company restricts access to personal information to employees who need to know the specific information in order to operate, develop or improve our services. These individuals are bound by confidentiality and will be subject to penalties if they fail to meet these obligations.

Also, the Personal Data can be shared only with the parties set out in the aforementioned Section of Disclosure of Personal Data.

The Personal Data that you provide in connection with opening an account (appropriateness/suitability test) with the Company are protected. This information can be accessed by the Client using your selected password. This password must be carefully kept by you and not be shared with any third party. In addition this information is safely stored in the Company's servers that only authorized personnel have access to it through access rights. The Company encrypts all this information to prevent unauthorized parties from viewing or accessing such information.

8. CHANGES OF PRIVACY POLICY

The Company reserves the right to change the Privacy Policy without further notice to you, provided that the changes do not significantly reduce your rights under the Privacy Policy. If the Company makes material changes to this policy, the Company will notify you by email or by means of a notice on the Company's home page or by changing the version of the document including the date of the update which will be visible to the first page of this document. The latest and prevailing version of this Policy will at all times be available at www.topfx.com. Any revised Policy will be effective immediately upon posting on the Company's Web Site.

9. LEGAL DISCLAIMER

The Company reserves the right to disclose your personally identifiable information as required by rules and regulations and when the Company believes that disclosure is necessary to protect our rights and/or to comply with a judicial proceeding, court order, or legal process served. The

Company will not be liable for misuse or loss of personal information resulting from cookies on the Company's site(s) that the Company does not have access to or control over. The Company will not be liable for unlawful or unauthorized use of your personal information/passwords/username/login etc due to misuse or misplacement of your passwords, negligent or malicious intervention and/or otherwise.

10. INQUIRIES AND COMPLAINTS

If you have any inquiries please send an email to our Support Department at support@topfx.com. For any complaints, please send an email to dpo@topfx.com or write to: 19 Stratigou Timagia, 3rd Floor, 3107 Limassol, Cyprus.