

# **NAGA Markets Ltd**

## **Privacy Policy**

**May 2018**

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## 1. Our Commitment to You

- 1.1 To provide our products and services to clients, performing our daily business operations, we need to collect from them personal information.
- 1.2 Your privacy is of utmost importance to us, and it is our policy to safeguard and respect the confidentiality of information and the privacy of individuals. By entrusting us with your information, we would like to assure you of our commitment to keep such information private. We have taken measurable steps to protect the confidentiality, security and integrity of your personal information.
- 1.3 This Privacy Policy sets out how NAGA Markets Ltd (“NAGA Markets”, the “Company”) collects, uses and manages the personal information it receives from you. It also informs you of your rights with respect to the processing of your personal information.
- 1.4 This Privacy Policy applies to the processing activities performed by NAGA Markets to the personal data of its clients and potential clients, website visitors and employees.

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## 2. Collection of Information

- 2.1 If you decide to apply to open an account with us and hence become our Client there is certain personal information that we will require from you in order to do so. This personal information will enable the Company to assess your application and comply with the relevant laws and regulations.
- 2.2 We may collect Your Information directly from you (in your completed Account Opening Application Form or other way) or from other persons including, for example, credit reference agencies, fraud prevention agencies, banks, other financial institutions, third authentication service providers and the providers of public registers.
- 2.3 This information includes, but is not limited to personal details such as full name, gender, residential address, date and place of birth, information necessary to verify your identity such as a passport or identity card, contact details (such as e-mail address), payment details (including credit card, debit card and bank account details), profession and employment details, information on your wealth and annual income, trading knowledge and experience, and other necessary financial information.
- 2.4 We may also collect your Information in regard to your use of our website(s), such as pages visited, frequency, duration of visit and trading activities.
- 2.5 Further, we may record any communications, electronic, by telephone, in person or otherwise, that we have with you in relation to the services we provide to you and our business relationship with you.
- 2.6 From time to time we may also request further information to help us improve our Service to you (if you are our Client) or our activities (if you are our Provider for Trading Data) under our relevant Agreement, as the case may be, or comply with Applicable Regulations.

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### 3. Use and Purposes for Processing your Personal Information

3.1 We will use, store, process and handle Your Personal Information (in case you are a natural person) in connection with the furthering of the Agreement between us, in accordance to the General Data Protection Regulation (the 'GDPR'), as amended or replaced from time to time. Your Information (not in the public domain or already possessed by us without a duty of confidentiality) which we hold is to be treated by us as confidential and will not be used for any purpose other than in connection with the provision, administration and improvement of our Services to you or the furthering of our Agreement between us.

The purposes for which we may process your personal data are exhibited below:

#### **(a) The Framework of Our Agreement**

We process personal data to provide our services and products, as well as information regarding these services and products, based on the contractual relationship with you. We need, therefore, to use your personal information to perform our services and comply with our obligations to you.

In this framework, we need to verify your identity to accept you as our client, and we will need to use those personal details to effectively manage your trading account with us.

#### **(b) Compliance with Laws and Regulations**

Numerous laws to which we are subject, as well as specific statutory requirements (such as anti-money laundering laws, financial services laws, corporation laws, privacy laws and tax laws) dictate that we hold and process personal data. Such obligations and requirements impose on us necessary personal data storage and processing activities. It is mandatory, for example, to store personal data, for record-keeping purposes.

In general, complying with applicable laws, court orders, other judicial process, or the requirements of any applicable regulatory authorities may require the processing of personal data by NAGA Markets.

#### **(c) Safeguarding our Legitimate Interests**

We process personal data to safeguard the legitimate interests pursued by NAGA Markets. Examples of such processing activities include (a) our initiating legal claims and preparing our

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defence in litigation procedures, and (b) processing personal data for risk management purposes;

Further, we may need to use personal information collected from you to investigate issues or to settle disputes with you because it is in our legitimate interests to ensure that issues and disputes get investigated and resolved in a timely and efficient manner.

**(d) Cases you have Consented to**

Our storage and use of your personal data is based on your consent. If we rely on your consent as our legal basis for holding and processing your personal information, you have the right to revoke consent at any time, by contacting us using the contact details set out in this Privacy Policy.

However, any processing of personal data that took place prior to the receipt of your revocation will not be affected.

**(e) To Assess the Appropriateness of our Services to the Recipients**

Your personal data, which includes your knowledge and experience in the financial products that we offer, is used to form your economic profile and confirm our assessment of the degree to which such financial products are appropriate to you.

**(f) To Improve our Products and Services**

From time to time, we may send you surveys as part of our customer feedback process. It is in our legitimate interest to ask for such feedback to try to ensure that we provide our services and products at the highest standards.

We may use the personal information provided by you through such client surveys to help us improve our products and services.

**(g) For Marketing purposes**

We may use your personal information to send you marketing communications by email or phone or other agreed forms to ensure that you are kept up to date with our latest products and services

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We will not disclose your information to any outside parties for to directly market to you.

**(h) Legal Notifications**

Laws and regulations occasionally require that we advise you of certain changes to products or services or laws. We may need to inform you of changes to the terms or the features of our products or services and doing so implies that we will maintain and use your personal data.

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#### **4. Information collected from your use of our services**

4.1 Tracking systems used on the website of NAGA Markets may collect your personal data to optimise the services provided to clients and potential clients. The website collects information in the following ways:

**(a) Location information**

Using your IP address helps us localize our website content, which we provide to you based on your country, and improve your user experience on our site.

**(b) Cookies**

Internet cookies are small pieces of data sent from our website to your browser and stored on your computer's hard drive when using our site, and they may include a unique identification number. The purpose of collecting this information is to provide you with a more relevant experience on our website, including the presentation of our web pages according to your needs or preferences.

Cookies are frequently used on many websites on the internet, and you can choose if and how a cookie will be accepted by changing your preferences and options in your browser. You may not be able to access some parts of our website if you choose to disable the cookie acceptance in your browser, particularly in the Company's Members Area and other secure parts of our site. We therefore recommend you enable cookie acceptance to benefit from all our online services.

**(c) Local storage**

You must submit validation documents to us through the Company's Members Area to activate your trading account. These documents are transmitted over a secure connection and stored in a safe location.

Periodically, we may use third party vendors, such as Google and AdRoll, to display our ads over the internet to you, based on your previous use of our website.



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## 5. Storage of your personal information

5.1 Safeguarding the privacy of your information is of utmost importance to us, whether you interact with us personally, by phone, by mail, over the internet or any other electronic medium. We will hold personal information, for as long as we have a business relationship with you, in a combination of secure computer storage facilities and paper-based files and other records and we take the necessary measures to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure.

When we consider that personal information is no longer necessary for the purpose for which it was initially collected, we will remove any details that will identify you or we will securely destroy the records. However, we may need to maintain records for a significant period after you cease being our client. For example, we are subject to certain anti-money laundering laws which require us to retain records containing Client personal data, trading information, account opening documents, communications and anything else which relates to the Client for a period of at least five years after the termination of our business relationship.

The personal information we hold in the form of recorded communication, by telephone, electronically, in person or otherwise, will also be held in line with local regulatory requirements and be stored for 5 years after our business relationship with you has ended.

We may keep your data for longer than 5 years if we cannot delete it for legal, regulatory or technical reasons.

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## 6. Your rights regarding your personal information

6.1 The rights that might be available to you in relation to the personal information we hold about you are outlined below

### (a) Information and access

If you ask us, we have the obligation to confirm whether we are processing your personal information and, if so, what information we process and, if requested, provide you with a copy of that personal information (along with certain other details) within a reasonable time frame from the date of your request.

### (b) Rectification

It is an important to us that your personal information is up to date. We will take all reasonable steps to make sure that your personal information remains accurate, complete and up-to-date. If the personal information we hold about you is inaccurate or incomplete, you are entitled to have it rectified. If we have disclosed your personal information to others, we will let them know about the rectification where possible.

You may inform us at any time that your personal details have changed by e-mailing us at [compliance@nagamarkets.com](mailto:compliance@nagamarkets.com). The Company will change your personal information in accordance with your instructions. To proceed with such requests, in some cases we may need supporting documents from you as proof, i.e. personal information that we are required to keep for regulatory or other legal purposes.

### (c) Right to be Forgotten

You can ask us to delete or remove your personal information in certain circumstances such as if we no longer need it or you withdraw your consent (if applicable) provided we have no legal obligation to retain that data.

### (d) Data portability

Under the GDPR, you have the right, in certain circumstances, to obtain personal information you have provided us with, in a structured, commonly used and machine-readable format, and to re-use it elsewhere or ask us to transfer this to a third party of your choice.

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## 7. Contacting You

1.1. We may, for administering the terms of our Agreement between us, from time to time, make direct contact with you by telephone, fax, email, or post.

If you agree, we or any of our Affiliates of the Company or any other company in our group, may contact you from time to time, by telephone, fax, email or post for marketing purposes to bring to your attention products or services that may be of interest to you or to conduct market research.

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## 8. Disclosure of Information

8.1 Under the Agreement between us, we have the right to disclose Your Information (including recordings and documents of a confidential nature, card details) in certain circumstances.

According to the Agreement between us, Your Information may be disclosed:

- (a) where required by law or a court order by a competent Court;
- (b) where requested by our Regulator (the Cyprus Securities and Exchange Commission) or any other regulatory authority having control or jurisdiction over us or you or our associates or in whose territory we have Clients or Providers, as applicable;
- (c) to relevant authorities to investigate or prevent fraud, money laundering or other illegal activity;
- (d) to a Broker, to execute your Instructions or Orders and for purposes ancillary to the provision of our Services to you as our Client;
- (e) to credit reference and fraud prevention agencies, third authentication service providers, banks and other financial institutions for credit checking, fraud prevention, anti-money laundering purposes, identification or due diligence checks of you. To do so they may check the details you supplied against any details on any database (public or otherwise) to which they have access. They may also use your details in the future to assist other companies for verification purposes. A record of the search will be retained by us;
- (f) to our professional advisors provided that in each case the relevant professional shall be informed about the confidential nature of such information and commit to the confidentiality herein obligations as well;
- (g) to other service providers who create, maintain or process databases (whether electronic or not), offer record keeping services, email transmission services, messaging services or similar services which aim to assist us collect, store, process and use Your Information or get in touch with you or improve the provision of our Services or activities under the Agreement between us;
- (h) to a Trade Repository or similar;
- (i) to other service providers for statistical purposes, to improve our marketing, in such a case, the data will be provided in an aggregated form;
- (j) to market research call centres that provide telephone or email surveys with the purpose of improving our Services or activities, but only contact details;
- (k) where necessary, for us to defend or exercise our legal rights to any court or tribunal or arbitrator or Ombudsman or governmental authority, as the case may be;

- (l) at your request or with your consent;
- (m) to our Affiliates or any other company in our group;
- (n) our employees so as to exercise their duties to further the Agreement between us, or to assure the efficient functioning of our Platform, the Automatic Orders and the Trading Data functions.

If to provide services to you the Company discloses your personal information to business parties such as card or other payment processing companies or banks, such third parties may store your information to comply with their own legal and other obligations.

The Company will notify the third party regarding the confidential nature of any such information.

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## 9. Safeguarding Measures

9.1 Your Information is stored on secure servers. We limit access of Your Information only to those employees or partners that need to know the information in order to enable the carrying out of the Agreement between us.

We have procedures in place regarding how to safeguard and use Your Information, for example by requesting our Affiliates and employees to maintain the confidentiality of Your Information.

We assure you that NAGA Markets has got the necessary and appropriate technical and organisational measures and procedures in place to ensure that your information remains secure at all times. We regularly train and raise awareness of our members of staff to the importance of maintaining, safeguarding and respecting your personal information and privacy. We regard breaches of individuals' privacy very seriously and will impose appropriate disciplinary measures where necessary.

## **10. Questions**

10.1 If you have any questions regarding this policy, wish to access or change your information or have a complaint, or if you have any questions about security on our Website, you may email us at [compliance@nagamarkets.com](mailto:compliance@nagamarkets.com)

## **11. Update of this Policy**

11.1 This Policy is subject to change without notice. For this reason, you are advised to look for updates from time to time.