



NAGA

Candidate

Privacy Policy

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1. WHAT IS THE PURPOSE OF THIS DOCUMENT?

NAGA Markets Europe Ltd is a company incorporated in Cyprus with registration number HE 251168 and located at Agias Zonis 11, P.C. 3027, Limassol, Cyprus (hereafter referred to as “**NAGA**”, and/or the “**Company**” and/or “**we**” and/or “**us**”). NAGA is part of the wider NAGA Group of Companies of The NAGA Group AG and all its direct or indirect subsidiaries and/or direct or indirect parent undertakings, including but not limited to: NAGA GLOBAL LLC, NAGA Technology GmbH, and NAGA Pay GmbH, as well as any subsidiary and/or any holding company from time to time of any of the aforementioned companies, and any subsidiary from time to time of a holding company of that company (hereafter referred to as “**NAGA Group**”). NAGA is the “controller” in relation to your personal data. This means that we are responsible for deciding how we hold and use personal information about you. It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the Data Protection laws.

For the purposes of this Policy:

- ‘**Data Protection laws**’ means all applicable data protection and privacy legislation in force from time to time in Cyprus including without limitation the GDPR; Law 125(I) of 2018, Law Providing for the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of Such Data (and any regulations made thereunder) (Law 125(I) of 2018); all other legislation and regulatory requirements in force from time to time which apply to a party relating to the use of Personal Data (including, without limitation, the privacy of electronic communications); and the guidance and codes of practice issued by the Commissioner or other relevant regulatory authority and which are applicable to a party.
- ‘**GDPR**’: 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)
- ‘**personal data**’ or ‘**data**’ means any information relating to an identified or identifiable natural person (‘data subject’, ‘you’, ‘your’); an identifiable natural person is one who can be identified, directly or indirectly, in particular 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.
- ‘**processing**’ means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

2. DATA PROTECTION PRINCIPLES

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

3. THE KIND OF INFORMATION WE HOLD ABOUT YOU

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae.
- The information you have provided on our online application form and/or other application form, including first and last name, address, telephone number, personal email address, LinkedIn Profile details (if any), IP address, date of birth, gender, employment history, qualifications
- Any information you provide to us during an interview.
- Any information you provide to us as part of a written assessment of your skills (if any).
- Any information you have provided to a recruitment agency, which you have authorised to contact us for the purposes of your recruitment procedure.

4. HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about candidates from the following sources:

- You, the candidate;
- We may also research information regarding your skills, experience or qualifications and comments and opinions made public on social networking sites such as LinkedIn, Facebook, Instagram and Twitter; and

- Recruitment agency you may have registered an interest. Such recruitment agencies support our recruitment purposes under a duty of confidentiality. We collect the following categories of data from them:
 - Information you have provided on your CV, however, with your personal data (such as your full name and contact information) concealed as well as your current employer's information.

5. HOW WE WILL USE INFORMATION ABOUT YOU

We process your personal data for the reasons listed below. The legal justification for our processing is, in each case, one or more of the following purposes. Please note that the lists of processing activities included in this section are not exhaustive. They are illustrative of the different types of processing that we may undertake. Please contact our DPO if you have a question about whether we process your personal data for a specific purpose not listed in this section.

- **Legal or regulatory obligations:**

Local laws and certain regulations require us to process personal data to comply with our legal or regulatory obligations. To do so, we process your personal data for the following purposes, for example:

- To prevent illegal working;
- To assessing fitness and propriety of individuals for the purpose of relevant regulatory schemes to which we must adhere.
- To communicate with public or regulatory bodies

- **Legitimate interest:**

Data protection laws allow us to process personal data where it is necessary for the purposes of our legitimate interests as a business. We consider it to be in our legitimate interests to process personal data for the following purposes, for example:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.

It is in our legitimate interests to decide whether to appoint you to the work advertised since it would be beneficial to our business to appoint someone to that work.

We also need to process your personal information to decide whether to enter into a contract of employment with you.

Having received your CV, application form and the results from any test which you may have taken, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references, carry out a criminal record and a Non-Bankruptcy check as part of your onboarding employment procedure.

If you fail to provide information when requested, which is necessary for us to consider your application, such as evidence of qualifications or work history, we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

6. HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview;
- For assessing suitability for particular job positions; and
- Establishing, bringing or defending legal claims;

7. INFORMATION ABOUT CRIMINAL CONVICTIONS & NON-BANKRUPTCY

We envisage that we will process information about criminal convictions and non-bankruptcy status.

We will collect information about your criminal convictions history as well as your non-bankruptcy status if we would like to offer you the work (conditional on checks and any other conditions, such as references, being satisfactory). We are required to carry out a criminal record check and non-bankruptcy check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. In particular:

- We are legally required by the Cyprus Securities and Exchange Commission (CySEC) to carry out criminal record and non-bankruptcy checks for any person employed by a Cyprus Investment Firm (CIF), i.e. NAGA.

- The role you are applying for requires a high degree of trust and integrity since it involves dealing with high value client money and/or falls within the scope of CySEC's requirements to carry out criminal and non-bankruptcy checks and so we would like to ask you to seek a basic disclosure of your criminal records history and whether you had been declared bankrupt and/or whether you are under a bankruptcy procedure.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

You will be further informed about the requirement to provide us with a Criminal Record and Non-Bankruptcy Certificate, at the final stages of your application, if we decide to offer you the role and in order to complete the recruitment procedure as per Section 5 above.

8. AUTOMATED DECISION-MAKING

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

9. DATA SHARING

We will only share your personal information with NAGA Group for the purposes of processing your application. All entities in NAGA Group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow other entities to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may also share your personal data with our professional advisors, which may include our lawyers, accountants and auditors, who are subject to strict confidentiality agreements with us.

We may also need to share your personal data with other third-party organisations or authorities, where we are required by law, such as legal and regulatory authorities.

10. DATA SECURITY

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

We store all personal data you provide to us electronically on our secure servers within Cyprus.

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

Unfortunately, the transmission of personal data through the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted to or stored on our IT system, and any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorized access.

11. DATA RETENTION

How long will you use my information for?

We will retain your personal information for a period of six (6) months after we have communicated to you our decision about whether to appoint you to the role advertised. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy and/or applicable laws and regulations.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

12. WHAT ARE YOUR RIGHTS?

In connection with your personal information, under certain circumstances, by law, you have the right to:

- Request **access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

If you so request, we shall provide you with a copy of your personal data which we are processing and hold about you. For any further copies which you may request, we may charge a reasonable fee based on administrative costs.

- Request **correction** of the personal information that we hold about you. This enables you to have

any incomplete or inaccurate information we hold about you corrected.

- **Withdraw consent.** If you provide or have provided to us your consent to us processing your personal information for the purposes of the recruitment exercise and/or to retain your personal information on the basis that we may consider you for a further opportunity that may arise in the future, you have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact our DPO. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely. Please note that any such withdrawal will not affect the validity of personal data we processed before you withdraw your consent.
- Request **erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object** to processing of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the **restriction** of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the **transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our DPO in writing.

13. CHANGES

This Privacy Policy may be amended by NAGA at any time in our sole and absolute discretion. You can always find the latest version of this Privacy Policy on our website.

14. DATA PROTECTION OFFICER

We have appointed a Data Protection Officer (DPO) to oversee compliance with this Privacy Policy. If you have any questions about this Privacy Policy or how we handle your personal information, please use the contact details below:

Entity: NAGA Markets Europe Ltd

Contact Person: Data Protection Officer

Email address: dpo@nagamarkets.com

Postal address: Agias Zonis 11, P.C. 3027, Limassol, Cyprus

Telephone Number: +357 25041410

15. COMPLAINTS WITH REGARDS TO THE USE OF PERSONAL DATA

You have the right to make a complaint at any time to the Personal Data Protection Commissioner's Office who is responsible for data protection issues in Cyprus:

Website: <http://www.dataprotection.gov.cy/>

Email: commissioner@dataprotection.gov.cy

Address: Iasonos 1, 1082 Nicosia, Cyprus