

Tera Europe Privacy Policy

Tera Europe Limited (“TeraFX”) , has its registered address at 701, One Canada Square Canary Wharf, London E14 5AA, UK and incorporated under laws of England & Wales with company number 07604372, takes your privacy seriously.

Please read this Privacy Policy to learn more about how we collect, use, disclose and store information when you access or use our Website or Services or contact us a different way. We gather various types of information, including information that directly or indirectly identifies you as an individual (Personal Data) as explained below.

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1. How we collect and use (process) your personal information

TeraFX collects your personal data from you when you apply for a trading account and throughout the time of doing business and transactions with you including when you visit our website or communicate with us. The Company collects the necessary information required to open an account, establish a business relationship and to provide clients with the services they require.

The Company requests and acquires information on personal and financial details to be provided by current and/or prospective clients, either on, but not limited to, relevant agreements and questionnaires in order to identify the client, create the economic profile of the client, verify the identity of the client, provide, deliver and develop products and services, assess the client appropriateness for the services and/or products offered by the Company, in order to maintain client accounts, process and execute client transactions, respond to additional inquiries and/or clarifications to either the client and/or their authorized representatives and to keep the client updated on any client business relationship relative matter and information on the Company's services and/or products.

1.1. Personal information you give to us:

1.1.1. Retail or Individual & Individual Joint Accounts

When you apply to open an account with TeraFX, we collect information directly from you including (but not limited to):

- ✓ your title and full name;
- ✓ PEPs and Sanctions verifications results;
- ✓ your date of birth;
- ✓ your nationality and dual nationalities (if any);
- ✓ National Client Identifier (NCI) details as per MiFIR rules (e.g. National Insurance or Passport Number);
- ✓ your contact details: email; phone and address;
- ✓ your employment details: employment status, occupation, employment sector and employer's name;
- ✓ financial position details: income level and source of funds;
- ✓ your trading experience and trading relevant to our services, e.g. if you ever traded OTC derivatives;
- ✓ bank details for your account administration;
- ✓ certain information related to your device, such as your device's IP address and referring Website; For further information on tracking technology, please see our Cookie Policy [here](#)
- ✓ any other information that you may disclose to us when you contact.

For the avoidance of doubt, in the case of a Joint Account the same data is collected in respect of any or both of Joint Account holders.

1.1.2. Additional information we may collect from Professionals and Eligible Counterparties:

We may collect personal data about you (and, where applicable, people connected to your business such as employees, contractors, officers, partners, beneficial owners and directors) in the onboarding process, including through completing due diligence, when administering transactions and carrying out reviews, when you contact us (including by telephone), when you use our website or applications, and from publicly available sources or third parties.

Where applicable, you acknowledge and warrant, when you, or anyone on your behalf provides us with any personal data relating to people connected to your business (such as employees, contractors, officers, partners, beneficial owners and directors), in connection with this Agreement, that this disclosure will only be made in compliance with Data Protection Laws.

You further warrant that you have an appropriate legal basis for disclosing the personal data to us and for us to process the personal data as contemplated under this Agreement, and that any consents required have been obtained and are valid. You shall ensure that the herein referenced people are aware of their

personal data disclosure, our identity and contact details, and the matters covered in this Privacy Policy.

1.2. Live events and web conferences

Sometimes TeraFX participates in industry related events and exhibitions. These include in-person conferences as well as live web conferences (collectively “events”). During the event if you approach or contact us, we will collect your name and contact information, which we will store in our database(s) and use to provide you with relevant information and services.

1.3. Via your correspondence with TeraFX

If you correspond with us by email, the postal service, or other form of communication, we may retain such correspondence and the information contained in it and use it to respond to your inquiry; to notify you of TeraFX and Group services; or to keep a record of your complaint, request, and the like.

1.4. Payment card information

To administer and monitor your account we will ask your bank details, which you can amend at any time.

You may choose to top-up your account balance using a payment card. Typically, payment card information is provided directly by users, via the TeraFX website, into the PCI/DSS-compliant payment processing service to which TeraFX subscribes, and TeraFX does not, itself, process or store the card information. We strongly encourage you not to submit payment card(s) information by email. When TeraFX employees receive payment card information from customers or members by email, fax, phone, or mail, it is entered as instructed and then deleted or destroyed.

1.5. Personal information we get from third parties

As part of Account Opening Process, to meet FCA and other regulatory rules TeraFX or relevant professional agents acting on its behalf may disclose your personal data in compliance with this Privacy Notice for obtaining (included but not limited to) Identity Verification and other anti-money laundering reports. Upon reasonable request made in writing by you to us, you shall be allowed to review or have a copy of any records maintained by us relating to your account standing.

1.6. What happens if you don't give us your data

If you choose not to provide the information we require to enable us to fulfil our regulatory and statutory obligations to open your account this may result in us not being able you provide the services you require and may result in our declining to open an account for you.

From time to time TeraFX may request additional information in line with its regulatory requirements and duties; if you refuse to provide such information, e.g. you nationality or passport number TeraFX may have no other choice as to close your account with notice in advance being given to you. You can even enter only the minimal amount of information (marked as mandatory on the application form) to TeraFX application form or requests if you wish. Some personal information is necessary so that TeraFX can supply you with the services you have purchased or requested, and to authenticate you so that we know it is you and not someone else.

On the other hand, you may manage your TeraFX technical industry news and marketing subscriptions and you may opt-out of receiving marketing communication at any time.

1.7. Accuracy of information

We may contact you from time to time to ensure that the information we hold is accurate and up to date. It is in your interest to keep the data we have on you up to date to enable efficient account administration by us.

2. How do we use your personal data?

When you provide information to us through our Website, we may use the information to respond to your inquiries, e.g., regarding certain products or Services, job information, request for information or demo requests. We also use information to administer and improve our Website and to analyse use of the Website for marketing and advertising purposes and trend monitoring.

When you use our Services, we may use your information to:

- (a) establish and maintain responsible commercial relations and to provide ongoing administering of transactions and maintaining current and accurate information in relation to such transactions;
- (b) providing services and access to online platforms (demo or live accounts terminals) where email ID is required for example;
- (c) meet legal and regulatory requirements, e.g. collect Personal Information from you to satisfy government regulations such as tax purposes;
- (d) comply with applicable laws, including carrying out anti-money laundering checks and comply with reporting obligations under MiFIR and others;
- (e) prevent fraud (or other criminal activity) or as required by law;
- (f) create statistical data in order to fulfil our legal and accounting requirements to analyse our business, and to manage risks and internal business procedures;
- (g) introducing you to third party brokers with whom we have a mutual relationship;
- (h) defending and protecting our rights;
- (i) contacting you, subject to any preferences you have expressed, to deliver marketing and event communications to you across various platforms;
- (j) contacting you, subject to Section 2.1 below;
- (k) for any other purposes about which we will notify you.

Legal basis for processing your personal data: The legal basis we rely on for processing your personal data will depend upon the circumstances in which it is being collected and used, but will in most cases fall into one of the following basis:

- our legitimate interest in administering our business,
- your consent to allow us to process your personal data,
- processing is necessary to carry out the performance of an agreement with you,
- legal and/or regulatory obligation for the Company to comply.

2.1. Contacting You

We may contact you by post, telephone, or by email using your personal data (contact details in particular) regarding your account and/ or announcements or updates to our products and services.

If you wish to have TeraFX “erase” your personal information or otherwise refrain from communicating with you at all or for a particular purpose, please contact us at compliance@terafx.co.uk (email is acceptable, and to direct your email quicker please include the words “Data Protection” in the subject line of the email); however, please note we cannot “erase” certain information as it is our duty to FCA and other financial regulators to keep record for your account at least 6 years after it was closed.

2.2. Marketing Opt-Out

We may contact you for marketing communications. If you want us not to send you marketing communications you have the right to opt out from receiving our marketing communications at any time. TeraFX will still send you informative and regulatory/important communications about your account or

regulatory updates.

Note: If you ask TeraFX not to contact you by email/or send certain information at a certain email address, TeraFX will retain a copy of that email address on its “master do not send” list in order to comply with your no-contact request.

3. When and how we share information with others

Third parties your personal data may be shared with could include, but are not limited to:

- Reference agency we engage to provide us with financial and economic researches and services,
- Suppliers we engage to receive back office, customer support services and information technology services,
- Regulatory bodies, government agencies, law enforcement bodies and courts; and
- Anyone whom you authorise us to disclose it to.

3.1. Disclosures of personal data as per our duties

To assess your creditworthiness or/and manage credit risk, to prevent fraud (or other criminal activity) or as required by law we may:

- (a) make periodic searches and enquiries about you and any Related Party at credit reference agencies, and your employers and any other relevant parties (as applicable);
- (b) disclose information to our Group companies/service providers and that we and our Group company/service provider may disclose it to organisations involved in fraud prevention; to regulators and governmental agencies, in any jurisdiction, where we are required to do so by Applicable Regulations;
- (c) obtain information from and disclose information to other broker-dealers or investment managers which deal in or manage investments for you concerning any payment or security default or concerning any investment which is related to or connected with Transactions which you seek to open with us;
- (d) Credit providers, courts, tribunals and regulatory authorities as agreed or authorised by law
- (e) disclose information where there is a public duty to disclose or our interests require disclosure; or with your consent.

3.2. Disclosures of personal data inter-Group, operations

Unless we inform you otherwise, the personal information we hold is used for establishing and managing your account, reviewing your and regulatory ongoing requirements, which will include enhancing the products and services we offer to you.

This means that the information we hold may be shared with:

- (a) Other companies within the Tera Group;
- (b) Service providers and advisers who have been contracted to provide the group with administrative, financial, insurance and other services.
- (c) Introducing brokers with whom we have a mutual relationship (any of whom may be within or outside the European Economic Area);
- (d) Anyone to whom we transfer or propose to transfer either our rights or duties under this Agreement; or to any third party as a result of any restructuring, sale or acquisition of any company within our group provided that any recipient uses your information for the same purposes as it was originally supplied to us and/ or used by us.

We may also gather aggregated data about our Clients and Site visitors and disclose the results of such aggregated (but not personally identifiable) information to our partners, service providers, advertisers

and/or other third parties for marketing or promotional purposes.

TeraFX website uses interfaces with social media sites such as Facebook, LinkedIn, Twitter and others. If you choose to "like" or share information from TeraFX website through these services, you should review the privacy policy of that service. If you are a member of a social media site, the interfaces may allow the social media site to connect your site visit to your personal data.

4. Storage of Personal Information

Personal information is held in a combination of secure computer storage facilities, paperbased files and other records. We have implemented procedures to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure.

Notwithstanding that TeraFX has security safeguards in place to protect Personal Data, Clients are always encouraged to take measures to protect themselves against unintended intrusions to their personal privacy (i.e., maintain access pass codes and/or PINs in a confidential manner).

Records may need to be held for a significant period of time, when we consider that the information is no longer needed, we may remove any details that may identify you or we will securely destroy the records. At the moment TeraFX keep your personal and account data for 6 years after the account was closed (regulatory requirement), in some cases even longer.

The personal information TeraFX collects from you is stored in one or more databases hosted by third parties located in the Google Data Center (London) and 3W Infra Data Center (Amsterdam). These third parties do not use or have access to your personal information for any purpose other than cloud storage and retrieval. On occasion, TeraFX engages third parties (Euro Message) to mail information to you.

We do not otherwise reveal your personal data to third-parties for their independent use unless: (1) you request or authorise it; (2) the information is provided to comply with the law (for example, to comply with a search warrant, subpoena or court order), enforce an agreement we have with you, or to protect our rights, property or safety, or the rights, property or safety of our employees or others; (3) the information is provided to our agents, vendors or service providers who perform functions on our behalf; (4) to address emergencies or acts of God; or (5) to address disputes, claims, or to persons demonstrating legal authority to act on your behalf and as indicated in section 3 above.

5. Transferring personal data from the EU to outside EU

TeraFX has its headquarters in the United Kingdom; however its flagship company and interconnected companies are also based in Poland and Turkey. Information we collect from you will be processed in Turkey, Poland and the United Kingdom.

TeraFX has a branch in Poland, when processing your data in Poland, the Branch or its service providers will follow same or similar rules as TeraFX (based on GDPR and this Privacy Notice).

TeraFX shares your Personal Data to Turkey based outsourced suppliers in order to be provided with administrative, backoffice and information technology services. Turkey has not sought nor received a finding of "adequacy" from the European Union under Article 45 of the GDPR. However, the Turkish Data Protection Law originates from the European Union Directive 95/46/EC, with a number of its original additions and revision.

TeraFX relies on derogations for specific situations as set forth in Article 49 of the GDPR. In particular, TeraFX collects and transfers to Turkey personal data only: with your consent; to perform an agreement with you; or to fulfil a compelling legitimate interest of TeraFX in a manner that does not outweigh your rights and freedoms. TeraFX endeavours to apply suitable safeguards to protect the privacy and security of

your personal data and to use it only consistent with your relationship with TeraFX and the practices described in this Privacy Notice. TeraFX also minimizes the risk to your rights and freedoms by not collecting or storing sensitive information about you (<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>).

6. Your Personal Data rights

You have certain rights under GDPR which are addressed below. Some only apply under specific circumstances and are qualified in several respects by exemptions.

- **Access to Personal Data:** You may be entitled to request access to personal data we hold about you. Information will be provided within 1 calendar month of the request, unless the request is complex, in which case we may notify you that an extension of time is necessary. Where the request is manifestly unfounded or excessive we may charge a “reasonable fee” for the administrative costs of complying with the request or refuse to deal with the request.
- **Correction of Personal Data:** You can request us to rectify and correct any Personal Data that we are processing about you which is incorrect. We may verify your identity before any information is changed.
- **Right of erasure / right to be forgotten:** 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 and it is not a guaranteed or absolute right. (For example; we may be required to retain your personal data for legal and regulatory purposes.)
- **Right to data portability:** You can 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/or services in a format which enables you to transfer that Personal Data to another organisation. You may have right to have your Personal Data transferred directly to the other organisation if this is technically feasible.
- **Right to restrict processing of your Personal Data:** You have the right in certain circumstances to request that 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.
- **Right to object to processing of Personal Data:** You have the right to object to processing 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.
- **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.
- **Right to withdraw your consent:** With respect to marketing communications, you can opt-out of receiving our newsletter or promotional or marketing communications at any time by using the unsubscribe link located in the email or by sending an email with word ‘unsubscribe’ to compliance@terafx.co.uk.

You can set or amend your web browser controls to accept or reject cookies. If you do, you may still use our Website and Services, but some access to functionality may be restricted. See our cookie policy for more details.

TeraFX did not appoint a Data Protection Officer; this role is addressed by its compliance department. Tera Europe is however registered with Information Commissioner's Office in the United Kingdom ICO Registration Reference: ZA134509.

Individuals may address their privacy related concerns by contacting TeraFX at compliance@terafx.co.uk. Every privacy-related complaint will be acknowledged, recorded and investigated, and the results of the investigation will be provided. If a complaint is found to be justified, appropriate measures will be taken.

If you are a resident of the European Economic Area and have an unresolved privacy or personal information collection, use, or disclosure concern that we have not addressed satisfactorily, please be aware you have the right to lodge a complaint with your local data protection supervisory authority (if you are in UK, it will be ICO: <https://ico.org.uk/>), who may decide to further investigate the matter. TeraFX will always fully cooperate with any regulatory request.

7. Changes to this Privacy Policy

This statement outlines the Tera Group's policy on how it manages the personal information including personal data it holds about its clients, shareholders and others. Customers are advised that information may be held securely within various organisations in the Group to enable TeraFX to carry out its contractual obligations to its clients. The Company is bound by the data protection laws as contained in GDPR. These principles are applied throughout the Group. This Policy is regularly reviewed and may be amended to reflect changes in legislation and its operations and procedures.

Tera Group means Tera Europe, its branches and interconnected parties.