

TOP 1 Markets

Privacy Policy

Company: **TOP 1 MARKETS PTY LTD**

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Your privacy and trust are important to TOP 1 MARKETS PTY LTD (the “Company”) and this Website and Platform Privacy Policy (“Policy”) provides important information about how the TOP 1 MARKETS PTY LTD, its worldwide affiliated companies and subsidiaries (the “Company”, "TOP 1", "we", “our” or "us") handle personal data. We are committed to keeping your personal data safe and confidential both online and offline. This Policy applies to any TOP 1 website (the “Website”) and the TOP 1 trading platform (the “Platform”). Please read this Policy carefully and contact the Company on our "Contact Us" page or through the "Help" menu on the Platform if you have any questions about the Company’s privacy practices. We may make changes to this Policy from time to time and it is important that you check this Policy for any updates. If we make changes we consider to be important, we will let you know by placing a notice on the Platform.

How we use the personal data we collect

We collect, use, disclose, transfer and store personal data when needed to provide our services and for our operational and business purposes as described in this Policy. We want to be clear about our privacy practices so you can make informed choices about the use of your personal data. You can contact us at any time with questions or concerns. We use your personal data to provide you with the services you request through the Website and Platform in order to perform our contractual obligations in relation to those services (including to process your trades), to keep in touch with you, to provide you with information about the products you trade and manage your account. We may also, in accordance with our legitimate interests, use your personal information to market our products and services to people like you. We will notify you separately if we process your personal data for any other purpose and, if required, ask for your consent. You can control what and how you receive communications from us and how we use your information by following the instructions detailed in creating an account and registering on the Platform section of this privacy policy.

Creating an account and registering on the Platform

When you create an account on the Platform, we require you to provide your full name, email address, details about your financial status, your residential address, phone number, date of birth, a copy of your photo-ID, such as passport, driving licence, or national ID.

We also collect information about the form of identification used in relation to an individual in order to send or receive a transaction (required by law in some instances), and information about a transaction, including an individual's account and delivery instructions. We may also collect information about employment details, employment history, the individual's current financial circumstances; the individual's foreign exchange preferences and tolerance to risk; and other matters that are relevant to the services we provide.

We use this data to verify your identity and to set up and administer your TOP 1 account, provide technical and customer support and training and send you important account, subscription and service data (which may be sent by notifications through the Platform), in order to perform our contractual obligations and to comply with our legal obligations.

If it is necessary to use your personal data for any other service you may request whilst using the Platform, we shall tell you how we will use your personal data at the time (probably, with a pop up notice) and if there are any additional terms and conditions which will apply. You will be asked to confirm that you agree to these additional terms and conditions before your application can proceed.

We may send you information by SMS, push notification, email or in-app notification about our products, services and offers we think would be of interest to you. The

information we send you will always be in relation to the services or products you have requested from us and our communications to you is because we want you to hear more about what we can offer you as our customer and to give you opportunities to use our products and services in a better and more frequent way. The way we communicate with you is based on what is known as our legitimate interest, and we will only ever send you communications that you would reasonably expect and have a minimal impact on your privacy.

If you receive email communications from us about the market or your activity on the platform and don't want to in the future, please use the unsubscribe link within the email and we will stop sending you this information via email. Alternatively, when you are logged into your account you can manage your preferences by going to the "Notifications Settings" tab and selecting the type of notification you would like to receive (email, SMS, push notification). You can change these preferences at any time.

Please note that push notifications are sent to every device from which you have logged into your account. If you use another person's device to log into your trading account or allow another person to log into their trading account using your device, this will result in push notifications being sent to the device(s) used to access the trading account. Therefore, if you have used another person's device to log into your trading account or have allowed another person to log into their trading account using your device you may contact our "Customer Service" to request the removal of a particular device from a trading account.

To review and amend your other marketing preferences, go to "Privacy Settings" under the "Account" tab on the Platform.

Note: Changes to your notification and privacy settings will be processed as soon as practical.

Personalisation

We use personal data such as your location, trading history and alike to deliver tailored content such as news, research, reports, and business information and to personalise your experience with our services.

When you email us through the “Contact Us” page, use the “Live Chat” feature, you may be requested to provide some additional personal data, like your name, email address and residential address. We will use this data to verify your identity in order to be able to respond to your query, so that we can meet our contractual obligations.

Emails are stored on our standard internal contact systems which are secure and cannot be accessed by external parties.

Our legal obligations

We may be required to retain and use personal data to meet our internal and external audit requirements, for data security purposes and as we believe to be necessary or appropriate: (a) to comply with our obligations under applicable law and regulations, which may include laws and regulations outside your country of residence; (b) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence; (c) to monitor compliance with and enforce our Platform terms and conditions; (d) to carry out anti-money laundering, sanctions or “Know Your Customer” checks as required by applicable laws and regulations; or (d) to protect our rights, privacy, safety, property, or those of other persons. We are also required to use and retain personal data after you have closed your TOP 1 account for legal, regulatory and compliance reasons, such as the prevention, detection or investigation of a crime; loss prevention; or fraud prevention.

We also collect and process non-personal, anonymised data for statistical purposes and analysis and to help us provide a better service.

Third-party login

You may choose to use your own social networking logins to log into our Platform. If you choose to connect using a social networking or similar service (“Third-Party Services”), we may receive and store authentication information from that service to enable you to log in and other information that you may choose to share when you connect with these services. The Third-Party Services may collect information such as the web pages you visited and IP addresses, and may set cookies to enable features to function properly. We are not responsible for the security or privacy of any information collected by the Third-Party Services. You should review the privacy statements or policies applicable to the Third-Party Services you use to connect to the Platform. If you do not want your personal data shared with your Third-Party Services provider or other users of the Third-Party Services, please do not connect your Third-Party Services with your TOP 1 account and do not use the related functionality on the Platform.

When we share personal data

We share or disclose your personal data when necessary to provide services or conduct our business operations as described below. When we share personal data, we do so in accordance with applicable data privacy laws and our internal security standards.

Below are the parties with whom we may share personal data and why.

- **Within the TOP 1:**

We may make personal data available to them if necessary, for complying with regulatory obligations, the provision of services, account administration, sales and marketing, customer and technical support. All of our employees and contractors are required to follow our data privacy and security policies when handling personal data.

- **Our third-party service providers:**

We partner with and are supported by third-party service providers. We will make personal data available to our third-party service providers only when necessary to fulfil the services they provide to us, such as software, system and platform support; direct marketing services; cloud hosting services; advertising including affiliate advertising; data analytics; and order fulfilment and delivery. Our third-party service providers are not permitted to share or use personal data we make available to them for any other purpose than to provide services to us.

- **Third parties for legal reasons:**

We will share your personal data when we believe it is required or compelled by law to do, such as:

- To comply with legal obligations and respond to requests from competent government agencies, including law enforcement and other administrative public authorities, which may include such authorities outside of your country of residence.
- To comply with an order of competent Court, and may include competent Courts outside of your country of residence.
- 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).
- To protect our rights, users, systems and services.

Trade activity on the Platform

In order to meet our legal and regulatory obligations, and in accordance with our legitimate interests, we will monitor your trading activity such as the frequency of your trading and number of trades, monetary activity such as number of deposits/withdrawals, payment methods used, and your device information and IP.

International transfers of personal data

Your personal data may be sent, stored and/or used in a country outside the European Economic Area (“EEA”) which does not offer the same level of protection as the EEA. When you give us your personal data, you agree to us doing this.

We will take all steps reasonably necessary to ensure that your personal data is kept secure and protected in accordance with our legal obligations and standards. If this is not possible, for example because we are required by law to disclose data, we will ensure that the sharing of the data is lawful. To receive copies of our standards and safeguards for international transfers of personal data please contact us as provided below.

Obtaining a copy of your personal data and correcting mistakes

We respect your right to access and control your personal data. We will respond to requests for personal data and, where applicable, will correct, amend or delete your personal data.

- **Access to personal data:**

We will, unless any relevant legal requirements prevent us from doing so or other exemptions apply, give you access to your personal data (including providing you

with a copy of the data or the ability for us to transfer your personal data to a third-party) on request. Before providing access to you, we will ask you to prove your identity and give us sufficient information about your interaction with us so that we can locate any relevant data.

- **Correction and deletion:**

You have the right to correct or amend your personal data if it is inaccurate or requires updating. You may also have the right to request us to delete your personal data. If you request that we delete your personal data this will result in the automatic closure of your account and we will remove your personal data from active processing. However, we will be required to maintain your personal data to comply with our legal and regulatory requirements as well as in accordance with our internal compliance requirements in relation to maintaining records.

- **Restrict processing:**

If you would like to control the use of your information for marketing you may do it via the "Privacy Settings" under the "Account" tab on the platform.

In some other circumstances you can ask us to stop processing your personal data.

However, this may result in us being unable to continue to provide you with access to the Platform.

We reserve the right to charge you a reasonable administrative fee for any manifestly unfounded or excessive requests concerning your access to your personal data, and for any additional copies of the personal data you request from us.

Data security

We are committed to safeguarding and protecting personal data and will implement and maintain appropriate technical and organisational measures to ensure a level of

security appropriate to protect any personal data provided to us from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

Data retention

We will only retain your personal data for as long as we reasonably require it for legal or business purposes subject to the minimum applicable regulatory retention period. In determining data retention periods, we take into account local laws, contractual obligations, and the expectations and requirements of our customers. When we no longer need personal data, we securely delete or destroy it.

Cookies

Cookies are small text files placed on your device and are commonly used on the internet. We use cookies on the website and the platform. To understand more about the kind of cookies we use and how you can control and delete cookies, please see our Cookie Policy.

Contacting us about this Policy or making a complaint

If you have any queries about the contents of this Policy, or wish to inform us of a change or correction to your personal data, would like a copy of the data we collect on you, or would like to raise a complaint or comment, please contact us via the Personal Data Requests page on our website.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can escalate your complaint to the data

protection supervisory authority in your jurisdiction.

Facebook permissions asked by this Application

This Application may ask for some Facebook permissions allowing it to perform actions with the User's Facebook account and to retrieve information, including Personal Data, from it. This service allows this Application to connect with the User's account on the Facebook social network, provided by Facebook Inc.

For more information about the following permissions, refer to the [Facebook permissions documentation](#) and to the Facebook [privacy policy](#).

The permissions asked are the following:

Basic information

By default, this includes certain User's Data such as id, name, picture, gender, and their locale. Certain connections of the User, such as the Friends, are also available. If the User has made more of their Data public, more information will be available.

Email

Provides access to the User's primary email address.

The rights of Users

Users may exercise certain rights regarding their Data processed by the Owner.

In particular, Users have the right to do the following:

- **Withdraw their consent at any time.** Users have the right to withdraw consent where they have previously given their consent to the processing of their Personal Data.
- **Object to processing of their Data.** Users have the right to object to the processing of their Data if the processing is carried out on a legal basis other than consent. Further details are provided in the dedicated section below.
- **Access their Data.** Users have the right to learn if Data is being processed by the Owner, obtain disclosure regarding certain aspects of the processing and obtain a copy of the Data undergoing processing.
- **Verify and seek rectification.** Users have the right to verify the accuracy of their Data and ask for it to be updated or corrected.
- **Restrict the processing of their Data.** Users have the right, under certain circumstances, to restrict the processing of their Data. In this case, the Owner will not process their Data for any purpose other than storing it.
- **Have their Personal Data deleted or otherwise removed.** Users have the right, under certain circumstances, to obtain the erasure of their Data from the Owner.
- **Receive their Data and have it transferred to another controller.** Users have the right to receive their Data in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance. This provision is applicable provided that the Data is processed by automated means and that the processing is based on the User's consent, on a contract which the User is part of or on pre-contractual obligations thereof.
- **Lodge a complaint.** Users have the right to bring a claim before their competent data protection authority.

Details about the right to object to processing

Where Personal Data is processed for a public interest, in the exercise of an official authority vested in the Owner or for the purposes of the legitimate interests pursued by the Owner, Users may object to such processing by providing a ground related to their particular situation to justify the objection.

Users must know that, however, should their Personal Data be processed for direct marketing purposes, they can object to that processing at any time without providing any justification. To learn, whether the Owner is processing Personal Data for direct marketing purposes, Users may refer to the relevant sections of this document.

How to exercise these rights

Any requests to exercise User rights can be directed to the Owner through the contact details provided in this document. These requests can be exercised free of charge and will be addressed by the Owner as early as possible and always within one week.

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