

Data Privacy Notice

Scope	Xconnect Trading Limited
Policy Owner	Adrian Chorley – Finance Director (CF10)
Purpose	This policy details how Xconnect Trading Limited collects, uses and discloses personal data online and offline in connection with the services we provide to our clients.
Approval Date	May 2018

Introduction

This Privacy notice explains how Xconnect Trading Limited collects, uses and discloses personal data online and offline in connection with the services we provide to our clients (“Services”). We refer to the individuals whose Personal Data (as defined below) we process, such as individuals who work for or are otherwise engaged by, or interact with, our clients, their affiliates or other third parties in connection with the Services, as “you” in this Notice.

Personal Data

“Personal Data” is information that identifies an individual or relates to an identifiable individual, including:

- Name
- Account details and related contact information
- Postal address
- Telephone or fax number
- Email address and other identifying addresses for electronic communications
- Date of birth
- Details from passports and other government or state issued forms of personal identification (including driver’s license and national insurance numbers)
- Photographic or video images
- Telephonic or electronic recordings
- Bank details

In the course of providing certain Services, we may also receive from you, or third parties, information including:

- Employment related information (salary information, stock options, shareholdings, pension, and CVs);
- Information about regulatory and other investigations or litigation to which you are or have been subject; and
- Source of wealth of beneficial owner(s).

We need to collect and process Personal Data in order to provide the requested Services, or because we are legally required to do so. If we do not receive the information that we request, we may not be able to provide the requested Services.

Collection of Personal Data

We and our agents, affiliates and service providers collect Personal Data in a variety of ways, including:

- Through providing the Services of the Firm, to you.
- We may also collect Personal Data about you other than through the Services, such as when you meet us ahead of transactions, request pitches or proposals from us or participate in a transaction or contractual arrangement.
- We may receive Personal Data from other sources, such as public databases, employers, the entity we provide the Services to and from other third parties.

Keeping Personal Data secure is one of our most important responsibilities. We maintain physical, technical, electronic, procedural and organisational safeguards and security measures to protect personal data against

accidental, unlawful, or unauthorised destruction, loss, alteration, disclosure, or access, whether it is processed by us in the EU or elsewhere. Appropriate employees are authorised to access personal data for legitimate and specified business purposes. Our employees are bound by a code of ethics and other internal policies that require confidential treatment of personal data and are subject to disciplinary action if they fail to follow such requirements.

Use of Personal Data

We and our service providers may use Personal Data for our legitimate business interests, including the following:

- to validate authorized signatories when concluding agreements and transactions;
- to contact nominated individuals in connection with existing transactions and contractual agreements;
- to respond to enquiries and fulfil requests from our clients and/or relevant third parties who require information as a necessary part of the provision of the Services, and to administer account(s) and manage our relationships;
- to verify an individual's identity and/or location (or the identity or location of our client's representative or agent) in order to allow access to client accounts, or conduct online transactions;
- to protect the security of accounts and Personal Data;
- for information and relationship management purposes, and business purposes, including data analysis, audits, developing, enhancing, improving or modifying our Services;
- for risk management, compliance with our legal and regulatory obligations and for fraud detection, prevention and investigation, including "know your customer", anti-money laundering, conflict and other necessary onboarding and ongoing client checks, due diligence and verification requirements, credit checks, credit risk analysis, compliance with sanctions procedures or rules, and tax reporting;
- to comply with laws and regulations (including any legal or regulatory guidance, codes or opinions), and to comply with other legal process and law enforcement requirements (including any internal policy based on or reflecting legal or regulatory guidance, codes or opinions);
- to provide, and perform our obligations with respect to, the Services or otherwise in connection with fulfilling instructions; and
- To send administrative information to clients, such as changes to our terms, conditions and policies.

Please note that Personal Data we collect in order to meet our legal and regulatory obligations related to the prevention of money laundering and terrorist financing is processed only for those purposes, unless otherwise permitted or agreed.

Disclosure of Personal Data

Personal Data may be disclosed to third parties in connection with the Services we are providing. The recipients of any such information will depend on the Services that are being provided. Subject to any restrictions around confidentiality we have expressly agreed with our client or other transaction parties, such disclosures may include disclosures:

- to our third party service providers who provide services such as website hosting, data analysis, payment processing, order fulfilment, information technology and related infrastructure provision, customer service, email delivery, auditing and other services;
- to third party experts and advisers (including external legal counsel, notaries, auditors and tax advisers);

- to payment, banking and communication infrastructure providers including SWIFT, financial institutions or intermediaries with which we may have dealings including correspondent banks, insurers, insurance brokers, central counterparties (CCPs), clearing houses, clearing and settlement systems, exchanges, trading platforms, regulated markets, credit institutions, financial brokers, other banks, sponsors, issuers, joint syndicate members, sub-underwriters, portfolio reconciliation service providers, margin service providers, middleware platforms, valuation agents, service agents and other service providers assisting on transactions;
- to third party storage providers (including archive service providers, document repositories and deal sites which provide access offering circulars and other marketing materials) and trade data repositories;
- to third party distribution platforms and to operators of private or common carrier communication or transmission facilities, time sharing suppliers and mail or courier services;
- to other deal/transaction participants including issuers, borrowers, potential investors and syndicate members, advisers, other lenders, independent printers producing circulars, prospectuses and marketing materials and translation service providers;
- to counterparties, vendors and beneficiaries, and other entities connected with our client (including guarantors affiliates, underlying clients, obligors, investors, funds, accounts and/or other any principals connected); and
- other persons as agreed with our client or as required or expressly permitted by applicable law.

Disclosures of Personal Data which we make to our third party service providers, as described in this section, will be made subject to conditions of confidentiality and security as we may consider appropriate to the specific circumstances of each such disclosure.

Other Uses and Disclosures

We may also use and disclose Personal Data as we believe to be necessary or appropriate: (a) to comply with applicable law including treaties or agreements with or between foreign or domestic governments (including in relation to tax reporting laws), which may include laws outside the country you are located in, to respond to requests from public and government authorities, which may include authorities outside your country, to cooperate with law enforcement, governmental, regulatory, securities exchange or other similar agencies or authorities including tax authorities to which we or our affiliates are subject or submit, in each case of any country worldwide, or for other legal reasons, who may transfer the Personal Data to equivalent agencies or authorities in other countries; (b) to central banks, regulators, trade data repositories, or approved reporting mechanisms which may be outside your country; (c) to courts, litigation counterparties and others, pursuant to subpoena or other court order or process or otherwise as reasonably necessary, including in the context of litigation, arbitration and similar proceedings to enforce our terms and conditions, and as reasonably necessary to prepare for or conduct any litigation, arbitration and/or similar proceedings; and (d) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others.

In addition, we may use, disclose or transfer Personal Data to a third party (i) in the event of any reorganization, merger, sale, 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) and/or (ii) to third parties, as requested by clients or their representatives

Other Information

“Other Information” is any information that does not reveal a person’s specific identity or does not directly relate to an identifiable individual, such as:

- Browser and device information
- App usage data
- Information collected through cookies, pixel tags and other technologies
- Demographic information and other information provided by you that does not reveal a person’s specific identity
- Information that has been aggregated in a manner that it no longer reveals a person’s specific identity
- Survey responses and similar information which reveals views and preferences, but which does not reveal a person’s specific identity.

If we are required to treat Other Information as Personal Data under applicable law, then we may use and disclose it for the purposes for which we use and disclose Personal Data as detailed in this Privacy Notice, however the firm does not foresee that the services it provides to its clients will require collection such use and disclosure.

Uses and Disclosures of Other Information

Should the circumstance arise through the course of Services provided, we may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable law. In some instances, we may combine Other Information with Personal Data. If we do, we will treat the combined information as Personal Data as long as it is combined.

Third Party Services

This Privacy Notice does not address, and we are not responsible for, the privacy information or other practices of any third parties, including any third party operating any website or service to which the Services link. The inclusion of a link on the Services does not imply endorsement of the linked site or service by us or by our affiliates.

Security

We seek to use reasonable organizational, technical and administrative measures to protect Personal Data within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us in accordance with the “Contacting Us” section below.

Choices and Access

Your choices regarding our use and disclosure of Personal Data

Where relevant the Firm shall give you choices regarding our use and disclosure of your Personal Data for marketing purposes, including sharing with third parties. Currently the firm does not engage in such activity on your behalf, however, if such circumstances were to change in the future, you may opt-out from such communications by emailing legal.compliance@xconnecttrading.com.

As ever the firm will try to comply with your request(s) as soon as reasonably practicable. Please note that if you opt-out of receiving marketing-related emails from us, we may still send you important administrative and Service or transaction-related messages, which you cannot opt out of.

How Individuals Can Access, Change or Suppress Their Personal Data

If you would like to request to review, correct, update, suppress, restrict or delete Personal Data that you have previously provided to us, or if you would like to request to receive an electronic copy of your Personal Data for purposes of transmitting it to another company (to the extent this right to data portability is provided to you by applicable law), you may contact us on legal.compliance@xconnecttrading.com. We will respond to your request consistent with applicable law. In your request, please make clear what Personal Data you would like to have changed, whether you would like to have the Personal Data suppressed from our database or otherwise let us know what limitations you would like to put on our use of the Personal Data. For your protection, we may only implement requests with respect to the Personal Data associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We will try to comply with your request as soon as reasonably practicable. Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting a change or deletion. There may also be residual information that will remain within our databases and other records, which will not be removed.

Retention Period

We will retain Personal Data for as long as needed or permitted in light of the purpose(s) for which it was obtained. The criteria used to determine our retention periods include: (i) the length of time we have an ongoing relationship with our client and provide the Services; (ii) whether there is a legal obligation to which we are subject; and (iii) whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, litigation or regulatory investigations).

Use of Service by Minors

The Services are not directed to individuals under the age of eighteen (18), and we do not knowingly collect Personal Data from individuals under 18.

Jurisdiction and Cross-Border Transfer

Personal Data may be stored and processed in any country where we have facilities or in which we engage service providers, including the United States. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access Personal Data. If you are located in the European Economic Area (EEA): Some non-EEA countries are recognized by the European Commission as providing an adequate level of data protection according to EEA standards (the full list of these countries is available here https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en). For transfers from the EEA to countries not considered adequate by the European Commission, we have put in place adequate measures, such as standard contractual clauses adopted by the European Commission to protect Personal Data. You may obtain a copy of these measures by following this link: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en. Transfers may also be made pursuant to contracts in your interest or at your request.

Sensitive Information

We do not typically collect sensitive Personal Data in connection with the Services. Please do not send us any Personal Data which would be categorised as special data under GDPR (e.g., information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) ("Special Data") through the Services or otherwise, unless we specifically request this information from you or make a due diligence enquiry of you where the response

necessitates you disclosing Special Data to us. In such a case, please ensure you notify us that you are providing Special Data. We may receive Special Data from third party service providers and others in support of due diligence activities we undertake to satisfy various legal and regulatory requirements to which we are subject.

Recording of Communications

When individuals communicate with Xconnect Trading Limited, to the extent permitted or required by applicable law, telephone conversations and electronic communications, including emails, text messages and instant messages, may be recorded and/or monitored for evidentiary, compliance, quality assurance and governance purposes.

Updates to This Privacy Notice

We may change this Privacy Notice, from time to time. Any changes will become effective when we post the revised Privacy Notice. Use of the Services following these changes (or your continued provision of Personal Data to us) signifies acceptance of the revised Privacy Notice.

Contacting Us

Xconnect Trading Limited, who provides the Services in connection with which your Personal Data has been provided is the company responsible for collection, use and disclosure of your Personal Data under this Privacy Notice.

Additional Information for the EEA

Individuals may also file a complaint with a supervisory authority in the EEA competent for their relevant country or region.