

PRIVACY POLICY

1. Our Commitment to You

We understand the importance of maintaining the confidentiality and privacy of your personal information as a client of the Company (the “**Client**” or “**you**”/“**your**”). 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 Information.

This Privacy Policy provides an overview of how Broctagon Prime Ltd (the “**Company**” or “**we**”) processes your personal data and sets out the information that the Company must provide to you in accordance with the provisions of the 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 (the “**GDPR**”). The Company’s Terms and Conditions are supplemented by the provisions of this Policy.

Capitalised terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Terms and Conditions.

Purpose:

By accessing our Company’s website including using any of the communication channels to contact us, we consider that you have read, understood and accepted the terms of this Privacy Policy and how we process any information you disclose to us. Moreover, you agree that this Policy, including any amendments will govern how we collect, store, use, share and in any other form process your personal data and your rights during our relationship and after its termination.

The information contain herein supersedes any information in relation to the processing of personal data that is included in any of the existing agreements/Client Agreement and associated forms on matters that are covered by this Privacy Policy. The Company may revise or update this policy from time to time. The new version of this Policy will be available on the Company’s website.

As per the relevant sections of the GDPR, if you are a natural person, we, the Company, are the controller and responsible of how we hold and use personal information about you in relation to the processing activities which your personal data undergo as stated further below. At times we may be considered data processors for the processing activities that your data undergo, if we are processing your data on behalf of a data controller that has instructed us to do so.

For the purposes of this statement:

- (a) Personal Data shall mean 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;
- (b) Controller shall mean the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law; and
- (c) Processor shall mean a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

2. The type of information and the bases on which we collect your information:

We will only process your personal data where we are satisfied that we have an appropriate lawful basis to do so.

We rely upon different lawful bases for the processing of your personal information according to our relationship with you and the purposes for which it is collected.

Please note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your personal data and therefore may be several grounds which justify our use of your personal information.

2.1 Legal Requirement:

As part of the Company's client account opening procedures and ongoing obligations, needs to abide with the legislative framework currently in place with the Cyprus Securities and Exchange Commission (the "CySEC").

Specifically, the Company shall comply with its obligations as per the applicable legal and regulatory framework including without limitation:

- (1) The Prevention and Suppression of Money Laundering and Terrorist Financing Laws of 2007-2021 (Law No. 188(I)/2007) as amended from time to time (the "AML Law");
- (2) The Directive of the Cyprus Securities and Exchange Commission for the Prevention and Suppression of Money Laundering and Terrorist Financing (the "AML Directive") for the establishment on the Client's economic profile and prevention of money-laundering as well as abide with the relevant record keeping obligations under the European Commission Delegated Regulation (EU) 2017/565 ('Delegated Regulation') and;

(3) the Investment Services and Activities and Regulated Markets Law of 2017 (L. 87(I)/2017), as amended from time to time (the “**Investment Services Law**”) for establishing the suitability and appropriateness of each Client based on the services offered by each CIF and recordings of telephone conversations, client transactions, FATCA and CRS.

The Company based to the above-mentioned, is obliged under legal requirement to request, collect and maintain for at least five (5) years after the termination of the business relationship the following personal data. Please note that the below personal data includes but is not limited to:

- (a) personal details such as name, surname, address, telephone number, tax residence, tax identification number email address;
- (b) financial details such as gross annual income, net worth, anticipated turnover, profession and experience in the financial field;
- (c) identity verification documents such as passport, Identity cards, utility bills, bank statements, bank account details, corporate documents of your Company.

The Company may collect the said information directly from you (during the account opening procedure) and/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.

2.2 Legitimate interests:

We may have legitimate interests in collecting and processing your data for the purposes mentioned below in order to better understand your needs, tailor our services to you and communicate to your services that may be of your interests.

We therefore at times collect information in regards to your use of our website(s), such as pages visited, frequency, duration of visit and trading activities. The Company also keeps records of your trading behaviour, including a record of:

- a) products you trade and their performance;
- b) historical data about the trades and investments you have made including the amount invested; and
- c) Historical data about your payment activities and your withdrawal activities.

2.3 Performance of Contract:

Further to the above, the Company may process your data to improve its service to you (existing or potential Clients) or our activities (if you are our provider for trading data) under our relevant agreement, as the case may be.

The Company may record any communications, electronic, by telephone, in person or otherwise, that we have with you in relation to the services that were provided by the Company to you and the relationship with you. The said recordings will be the Company's

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sole property and will constitute evidence of the communications between the Company and you for monitoring and training purposes.

2.4 Your consent:

Where the Company requires your consent to process your personal data, such consent will be provided in accordance with the Financial Services Agreement that it is provided to you during the account opening procedure. The Company shall rely on the provided consent as its legal basis for processing your personal data. You have the right at any time to withdraw that consent by contacting us via phone or via email at backoffice@broctagonprime.com

In certain circumstances the company can process your data without your consent. The following are considered to be the most relevant:

- (a) processing is necessary for compliance with legal obligation to which the controller is subject;
- (b) processing is necessary for the performance of a contract to which the person is party, or in order to take measures of the person's request prior entering into a contract;
- (c) processing is necessary in order to protect the vital interests of the data subject;
- (d) processing is necessary for the performance of a task carried out in the public interest or in the exercise of public authority or a third party to whom the data are communicated; and
- (e) processing is necessary for the purposes of the legitimate interests pursued by the controller or by the third party to whom the personal data are communicated, on condition that such interests override the rights, interests and fundamental freedoms of the persons.

3. Use of the Information

The Company will use, store, process and handle Your Personal Data in accordance with the GDPR and the Law providing for the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data of 2018 (Law 125(I)/2018), as amended from time to time.

Your personal data (not publicly available information and/or already possessed by the Company without abiding with the provisions of the general data protection regulation), will be collected and processed explicitly and specifically only for the purposes that have been collected for ('purpose limitation') while the Company must require only the information necessary in relation to the purposes for which they have been collected.

4. Transfers of Personal Data

We may transfer your personal information outside the European Economic Area. If we will make such a transfer, we will ensure that the transfer is lawful and that there are appropriate security arrangements in place to safeguard your personal data as provided by Applicable Regulations. In furtherance, the Company follows the European Commission

instructions in respect to this matter and it shall ensure that the third country that your data may be transferred is recognised by the EU Commission, as adequate in respect to the protection of your personal data.

If you would like to learn more about the transfers of your personal data and the safeguarding mechanisms used, please contact compliance@broprime.com

5. Contacting You

We may, for the purpose of 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 the Company's affiliates may make contact with 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.

6. Disclosure of Information

As part of using your personal information for the purposes set out above, we may disclose your information to several parties including without limitation:

- (a) service providers and specialist advisers who have been contracted to provide us with IT, financial, regulatory, compliance, accounting and/or other services;
- (b) partners or tied agents with whom the Company has closed relationships and who are exclusively working for the Company;
- (c) regulatory authorities;
- (d) anyone authorised by you.
- (e) relevant authorities to investigate or prevent fraud, money laundering or other illegal activity;
- (f) trade repository or similar;
- (g) the Company's 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 (as defined in the Client Agreement).

The Company requires from organisations outside the Company who handle or obtain personal information to acknowledge the confidentiality of this information, undertake to respect any individual's right to privacy and comply with all the relevant data protection laws and this privacy policy.

7. Management/Retention of your personal information and safeguarding measures

The Company has taken all the appropriate organisational measures to ensure that your personal data are secured.

Access to your information have only the employees and/or partners of the Company that need to have access to the information in order to enable the continuity of the agreement between you and the Company.

Furthermore, we hold personal information in a combination of secure computer storage, secure servers and from time to time and if it is deemed necessary, we will store them in paper-based files. The Company has taken all the necessary steps to protect the personal information that it holds from misuse, loss, unauthorised access, modification or disclosure.

While we will use all reasonable efforts to safeguard Your Information, you acknowledge that the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal data transferred from you, or to you via the internet.

The Company shall keep your personal data for as long as the company has business relationship with you. Once the business relationship has been ended, we will keep your data for up to five (5) years in accordance with the laws governing the Company.

The Company may keep your personal data for longer than five (5) years for legal, regulatory and/or any other obligatory reason. Retention periods will be determined taking into account the type of information that is collected and the purpose for which it is collected, bearing in mind the requirements applicable to the situation and the need to destroy outdated, unused information at the earliest reasonable time.

8. Your rights in connection with your personal data

You have the following legal rights in connection with your personal information:

- **Request access** to your personal data. This enables you to receive a copy of the personal data we hold about you as well as information about how your personal data will be processed and the legal basis for the processing.
- **Request correction** of the personal data that we hold about you. You can request to have any incomplete or inaccurate personal data we hold about you corrected, though we may need to verify the accuracy of the new personal data you provide to us.
- **Request deletion** of your personal data. You can ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing. Please note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party), or automated decision making and you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have

compelling legitimate grounds to process your information which override your rights and freedoms.

- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - (a) If you want us to establish the data's accuracy.
 - (b) Where our use of the data is unlawful but you do not want us to erase it.
 - (c) Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
 - (d) You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** (data portability) of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

If you would like to exercise any of those rights, please contact us, verifying your identity.. You may contact us via e-mail at backoffice@broctagonprime.com

9. Questions

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@broctagonprime.com .

Furthermore, in case you are not happy with the quality of Services we have provided you with in regard to the personal data processing, you have the right to lodge a complaint with our supervisory authority which is the Commissioner for Personal Data Protection in the Republic of Cyprus.

Update of this Policy

This Policy is subject to change without notice.

For this reason, you are advised to look for updates from time to time.