

# Privacy Policy

Valid as of 23.01.2019

In Admiral Markets Pty Ltd (AM PTY), We understand how important it is to protect your personal information. This document sets out our privacy policy commitment in respect to information we hold about you and what we do with that information. We recognise that any personal information we collect about you will only be used for the purposes we have collected it or as allowed under the law. It is important to us that you are confident that any personal information we hold about you will be treated in a way which ensures protection of your personal information. Our commitment in respect of personal information is to abide by the Australian Privacy Principles for the protection of personal information, as set out in the Privacy Act and any other relevant laws.

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**Before using any services offered by AM PTY and submitting any personal data, you should familiarize yourself and agree with the principles and conditions set forth in this policy. You can acknowledge the given terms voluntarily by ticking a corresponding checkbox on the initial Trader's Room registration form.**

## 1. TERMS AND DEFINITIONS

1.1 **Client** - means any individual or a legal entity who has expressed a desire to use, who is using or who has used AM PTY's provided investment services until termination of Client relationship.

1.2 **Client Data** - any sort of information, including personal data known by AM PTY regarding the Client. With legal entity Clients, AM PTY processes legal entity's representative's, beneficiaries and other related persons personal data to the extent required by law. The various categories of Client data are specified in section 4 of this document.

1.3 **Processing of Client Data** - means any action that is performed with the Client data, including personal data that is gathered, recorded, structured, safekept, changed, forwarded, deleted, archived, etc.

1.4 **Data Controller** - AM PTY as an investment firm providing the Client investment service acts as a Data Controller with Client's data.

1.5 **Authorised Data Processor and/or other Third party** - AM PTY may also

use authorised external third party processors for Client data processing, based on concluded service agreements, which are governed by instructions from AM PTY for the protection of Client related data. AM PTY shall ensure that such data processors process Client Data only in accordance with instructions from AM PTY and in conformity with the requirements for data protection. By default, AM PTY's sister company Admiral Markets AS acts as in intra-group authorised Data Processor as many of the support functions within the Admiral Markets Group are centralised there for execution.

## **2. GENERAL PRINCIPLES**

2.1 Processing of Client Data at AM PTY takes place in accordance with requirements set in the Privacy Act of Australia (in force since 12 March 2014).

2.2 AM PTY takes reasonable steps to protect your personal information by storing it in a secure environment. In order to prevent unauthorised access or disclosure, AM PTY has put in place suitable physical, electronic and managerial procedures to safeguard and secure the collected information. AM PTY also takes reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

2.3 AM PTY is entitled to unilaterally amend the given policy at any time by notifying the Clients not later than 14 days prior of any significant amendments via the AM PTY's website, email or through the Trader's Room. In issues not regulated by this policy, Account Terms shall apply.

2.4 AM PTY will not sell or lease your personal information to third parties.

## **3. BASIS FOR PROCESSING CLIENT DATA**

3.1 the Client has given consent to the processing of his or her personal data for one or more specific purposes;

- processing is necessary for the performance of the Client agreement to which the Client is a party or in order to take steps at the request of the data subject prior to entering into a Client agreement;
- processing is necessary for compliance with a legal obligation to which AM PTY is subject to;
- processing is necessary in order to protect the vital interests of the Client or of another natural person;
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority request;
- processing is necessary for the purposes of the legitimate interests pursued by AM PTY or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the Client which require protection of personal data.

3.2 AM PTY's legitimate interests are expressed in furtherance of its own operating activity in offering Clients better services and products, developing its own products, ensuring data and information security and performance of general legal obligations set forth in legal acts.

3.3 On the basis of consent for Processing Client Data, AM PTY shall ask for consent, e.g., on relevant applications and requests, and will enable the Client to provide its consent voluntarily.

## 4. CATEGORIES OF CLIENT DATA

4.1 AM PTY has the right and the duty by virtue of its area of activity to check the accuracy of the Client data contained in the databases by periodically asking the Client to review and/or correct or confirm the accuracy of the Client data pertaining to the Client. AM PTY does not collect sensitive information about the Client.

4.2 AM PTY gathers Client Data mainly from the Client (e.g. applications and requests, in the course of Client interaction) and in the course of use of the services by the Client (e.g. execution of payments and transfers, forwarding of securities orders, performance of contracts etc).

4.3 AM PTY also obtains and verifies Client Data from Third Parties, such as:

- public and private registers (e.g. Population Register, Business registries, Credit information registries and other authorised processors). AM PTY uses data obtained from registries and authorised processors for verifying and updating Client Data;
- correspondent banks, foreign brokers and other business partners if the Client has provided consent to our business partner for this purpose or the sending of data is permitted by legal acts. AM PTY uses these data mainly for enabling provision of service to Clients (e.g. foreign payments and investment services).

4.4 The following is a list of the types of Client Data and the main purposes for which AM PTY processes Client Data.

<b>Client Data</b>	<b>Purpose for processing</b>
<b>1. Personal Data</b> (e.g. name, personal identification code, date of birth, data on the identity document)	Identification of Client
<b>2. Contact details</b> (e.g. telephone, email, address, language of contact)	Client interaction Marketing
<b>3. Data on tax residency</b> (e.g. country of location, taxpayer identification number, citizenship)	Gathering and reporting tax-related information
<b>4. Data on area of activity</b> (e.g. profession, education, data on employer)	Evaluating the Client's creditworthiness for payments on the trading account
<b>5. Financial data</b> (e.g. income, obligations, liquid assets, planned amount of first deposit)	Evaluating the Client's creditworthiness for payments on the trading account
<b>6. Data on the Client's trustworthiness and origin of assets and wealth</b> (e.g. data on payment history, data on connections to	

money laundering, terrorism financing or organised crime, data on employer, transaction partners, beneficial ownership, income sources, data on business activity, related persons, whether the Client is a politically exposed person)	Compliance with due diligence requirements
<b>7. Data on the Client's expertise</b> (e.g. the Client's investment knowledge and experiences, educational attainment, profession, investment goal)	Evaluating the appropriateness and suitability of product, service and securities offered to the Client and assessing the Client's expertise
<b>8. Data related to securities</b> (e.g. securities transactions and transaction orders, quantity of securities, transaction volumes, transaction value, LEI code)	Transaction reporting and monitoring with regard to characteristics of market abuse and reporting of suspicious transactions
<b>9. Communication Data</b> (communication held via electronic means, phone recording, visits to office)	Compliance with due diligence requirements Security risk management
<b>10. Data on the Client's habits, preferences and satisfaction</b> (e.g. Client status, data on use of Services, Client's queries and complaints, survey's feedback)	Development of products and services
<b>11. Data on the Client's segment</b> (e.g. demographic)	Direct marketing, organising campaigns, webinars and seminars
<b>Data obtained in the course of performing obligations arising from legislation</b> (e.g. data arising from inquiries made by investigative bodies, notaries, tax authority, courts, inquiries made by court bailiffs)	Cooperation with supervisory authorities and other public sector institutions, implementation of required measures, such as impounding accounts
<b>13. Data related to participation in consumer games and campaigns</b> (e.g. data on prizes won in investment games and other consumer games and points collected in campaigns)	Compliance with campaign terms (e.g. payouts of amounts won) Direct marketing (e.g. sending an invitation to participants, reminders etc)
<b>14. Data on Client's family and/or associated persons</b> (such as information about the Client's family, heirs and other related person's (used only in cases if a Client is related to a politically exposed person or the Client has passed away). Also, whether the Client is a politically exposed person)	Compliance with due diligence requirements
<b>15. Data on Website sections visited by the Client</b>	Risk management, monitoring and investigating to counter fraud (e.g. payment fraud)

4.5 Regards direct marketing (such as company news, information about campaigns and other similar updates to enhance Client knowledge related to the financial markets, etc.), the Client has the right to choose whether or not to receive marketing related emails to their submitted email address. Such a preference can also be changed at any time through the Trader`s Room, under the `Subscriptions` panel. It`s also possible to unsubscribe from these marketing emails by clicking the link within the received e-mail.

## **5. FORWARDING OF CLIENT DATA**

5.1 AM PTY has the right or a legal obligation to forward Customer Data to the following Third Parties:

- Law enforcement authorities, such as bailiffs, notary offices, tax authorities, supervision authorities and financial intelligence units upon request. AM PTY can also contact relevant authorities in case the Client is in breach of the Client agreement.
- Other Admiral Markets companies, if needed for the provision of services, trading platform administration or customer or technical support experience.
- Institutions providing financial services, for example banks, payment systems, institutions participating in the trade or payment execution, settlement and reporting cycle (for example regulated markets as execution venues, multilateral trading facilities, organised trading facilities, trade repositories, local and foreign brokers).
- Auditors, legal and financial consultants.
- Third parties maintaining registers (such as to credit registers, population registers, commercial registers, securities registers or other registers holding or intermediating Client data).
- Other persons related to the provision of services of AM PTY, such as service providers used for archiving data and postal services.
- Service providers that provide information and infrastructure systems to AM PTY.
- Identity verification services
- AM PTY may share Client data in the event of a merge, sale, restructure, acquisition, joint venture, assignment, transfer or other disposition of all or any portion of AM` PTYs business, assets or stock (including in connection with any bankruptcy or similar proceedings).

5.2 When using third party service providers (Authorised Processors) for Processing of Client Data, AM PTY shall ensure that such data processors would process Client Data only in accordance with instructions from AM PTY and in conformity with the requirements set for data protection. Authorised Processors must have sufficient level of data protection that would ensure secure data transmission.

## **6. PROFILE ANALYSIS**

6.1 AM PTY analyses data from a client`s profile mainly for the purpose of marketing its services and products based on AM PTY`s legitimate interest. Profile analysis is also used for assessing client related risks for the prevention of money

laundering and terrorism financing. Such data processing takes place in order to fulfill its legal obligations as an investment firm.

## **7. CLIENT DATA RETENTION**

7.1 AM PTY shall not process Client Data for longer than necessary for performing the objectives of the Processing, including for complying with the duty, set forth in legal acts, to retain data and for resolving disputes arising from agreement(s) entered into with the Client or for resolving potential disputes. AM PTY shall preserve Client data, who has entered into a Client agreement for receiving the investment services, for at least five years following the termination of the Client relationship, unless other terms for the preservation of data or documents are prescribed by law.

7.2 In general, AM PTY shall retain Client's Personal Data until the end of the statute of limitations.

## **8. RIGHTS OF THE CLIENT**

8.1 AM PTY respects Clients' rights to access and control their personal data. AM PTY will respond to requests concerning personal data processing and, when applicable, give access to, correct or delete personal data. Client's have access to review their submitted data in Trader's Room. The Clients have the right to:

- receive information on whether AM PTY is processing their Personal Data and if so, the right to receive information what kind of data is being processed (also visible in Trader's Room) and how long the data is retained;
- demand corrections to their Personal Data if the changes have been made to the data or the data are otherwise inaccurate (also visible in Trader's Room);
- prohibit the use of their contact data for receiving newsletters and offers via e-mail or phone number for marketing purposes. The Client can change its preferences for receiving such notifications in the Trader's Room, when choosing 'Subscriptions'. From newsletters and offers, the Client can unsubscribe also directly from the received e-mail;
- demand cessation of Processing their Personal Data if the Processing occurs to executed unlawfully meaning that AM PTY lacks the legal basis for processing such data. AM has no right to process the Client Data unless AM PTY's interests outweigh the potential restriction of the Client's rights (e.g. performance of general legal obligations);
- demand deletion of their Personal Data if AM PTY lacks the right to process such data or processes the data on the basis of the Client's consent and the Client withdraws the consent. The deletion cannot be requested in an extent to which AM has the right or obligation to process Personal Data (e.g. for complying with a legal obligations, performing a contract, exercising its legitimate interest). The request to delete an individual's personal data will result in the closure of their account(s), removal of their data from active processing and a termination of the Client relationship;
- receive a copy of its personal data that the Client has submitted to AM PTY and which are being processed on the basis of consent or for performance of Client agreement, in a universal electronically readable format, and if technically

possible, forward the data to another service provider. In case of the forwarding of data to a third party, clear written instructions from the Client must be received and verified. The Client must acknowledge that data portability can only be executed with data that has been gathered for the conclusion of Client agreement or has been gathered based on the consent given by the Client;

- object decisions that have been done automatically without human interaction.

## **9. CONTACT DETAILS**

9.1 If you have any questions about AM PTY's data processing principles or you are dissatisfied with how AM PTY has dealt with your personal information, you may contact us for answering your questions and/or resolving your concerns. The general contact details of AM PTY are available on the website: [www.admiralmarkets.com.au](http://www.admiralmarkets.com.au), selecting the 'Contact Us' page.

9.2 AM PTY will acknowledge your complaint within 7 days. AM PTY will provide you with a decision on your complaint within 30 days.

9.3 If you are dissatisfied with the response received from AM PTY, you may make a complaint to the Privacy Commissioner who can be contacted on either [www.oaic.gov.au](http://www.oaic.gov.au) or 1300 363 992.