



Privacy Policy

International Capital Markets Pty Ltd.

ABN: 12 123 289 109

AFSL: 335 692

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A: Level 4, 50 Carrington Street, Sydney, NSW 2000

T: 1300600644

E: support@icmarkets.com.au

W: icmarkets.com/au

1. Introduction

International Capital Markets Pty Ltd. (“**IC Markets, the Company, we or us**”) is bound by the Privacy Act 1988 (“**Privacy Act**”), including the Australian Privacy Principles (“**APPs**”), and recognises the importance of ensuring the confidentiality and security of your personal information.

To the extent that it is necessary to do so, IC Markets also complies with the requirements of the EU General Data Protection Regulation (“**GDPR**”) as adopted by EU Member States. The APPs and the GDPR Policy share many common requirements. Where an obligation imposed by the APPs and the GDPR are the same, but the terminology is different, IC Markets will comply with the terminology and wording used in the APPs, and this will constitute IC Markets’ compliance with the equivalent obligations in the GDPR.

If the GDPR imposes an obligation on IC Markets that is not imposed by the APPs, or the GDPR obligation is more onerous than the equivalent obligation in the APPs, IC Markets will comply with the GDPR.

All third parties (including clients, suppliers, sub-contractors, or agents) that have access to or use personal information collected and held by IC Markets, must abide by this Privacy Policy. IC Markets makes this Privacy Policy available free of charge and can be downloaded from our website.

In this Privacy Policy:

- **Disclosure** of information means providing information to persons outside of IC Markets;
- **Personal information** means information or an opinion relating to an individual, which can be used to identify that individual;
- **Privacy Officer** means the contact person within IC Markets for questions or complaints regarding IC Markets’ handling of personal information;
- **Sensitive information or data** is personal information that includes information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences and criminal record, and also includes health information; and
- **Use of information** means use of information within IC Markets.

2. What kind of personal information and data do we collect and hold?

We may collect and hold a range of personal information about you to identify you and provide you with our products and services, including:

- name;
- date of birth;
- address;
- phone number;
- email address;
- occupation;
- bank account details;
- identification details such as passport or driver’s licence details;
- financial, trading and economic profile information, including details of:
 - your savings and investments;
 - your annual income;
 - your transactions (deposits and withdrawals) with us;
 - your risk appetite;
 - your trading experience;
 - your trading history (trades executed, profits and loss);
 - taxation information;

Other data that we might collect from your profile is:

- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in type and versions, operating system and platform, and other technologies on the devices you use to access the Website and use of cookies stored on your device.
- **Usage Data** includes information about how you use our website, products and services, registration date, account category, trading cluster, number of complaints, number of requests filed and IP history.
- **Banking Data** includes details of number of payment wallets and/or information of your bank card, including information of the issuing bank, card number, cardholder name, card expiration date, payment system, card validation code (CVV2 / CVC2), and photos of both sides of the bank card.
- **Marketing and Communication Data** includes your preferences in receiving marketing from us and your communication preferences.
- **Special Categories of Data/ 'Sensitive' Data** includes details about your religious, biometric data, and/or criminal convictions and offences.
- **Audio Data** includes full voice recordings of calls that you receive from us or make to us.

Location Data includes details on your actual location when interacting with our website (for example, a set of parameters that determine regional settings of your interface, namely residency country, time zone, and the interface language).

3. How do we collect personal information?

We generally collect personal information directly from you. For example, personal information will be collected through our application processes, forms, documents you provide to us and other interactions with you in the course of providing you with our products and services, including when you visit our website, use a mobile app from us, call us or send us correspondence.

We may also collect personal information about you from a third party, such as Electronic Verification (**EV**) services, referrers, credit rating agencies and marketing agencies. If so, we will take reasonable steps to ensure that you are made aware of this Privacy Policy. We may also use third parties to analyse traffic at our website, which may involve the use of cookies. Information collected through such analysis is anonymous.

We will not collect sensitive information about you without your consent, unless an exemption in the APPs applies. These exceptions include if the collection is required or authorised by law, or necessary to take appropriate action in relation to suspected unlawful activity or serious misconduct.

If the personal information we request is not provided by you, we may not be able to provide you with the benefit of our services or meet your needs appropriately.

We do not give you the option of dealing with them anonymously, or under a pseudonym. This is because it is impractical, and, in some circumstances, illegal for IC Markets to deal with individuals who are not identified.

4. Unsolicited personal information

We may receive unsolicited personal information about you without requesting for it; however, we destroy or de-identify all unsolicited personal information we receive unless it is relevant to our purposes for collecting personal information to provide our products and services. We may retain additional information we receive about you if it is combined with other information we are required or entitled to collect. If we do this, we will retain the information in the same way we hold your other personal information.

5. Who do we collect personal information about?

The personal information we may collect, and hold includes (but is not limited to) personal information about:

- clients;
- potential clients;
- service providers or suppliers;
- prospective employees, employees and contractors; and
- other third parties with whom we come into contact, provide services to and receive services from.

6. Website and cookie collection

We collect personal information when we receive completed online generated forms from our website. We may also use third parties to analyse traffic at that website, which may involve the use of cookies. Information collected through such analysis is anonymous.

To use our website, you must consent to our use of cookies. You can withdraw or modify your consent to our use of cookies at any time. If you no longer wish to receive cookies, you can use your web browser settings to accept, refuse and delete cookies. To do this, follow the instructions provided by your browser. Please note that if you set your browser to refuse cookies, you may not be able to use all of the features of our website.

Cookies do not contain personal information in themselves but can be used to identify a person when combined with other information. Cookies are small text files which are transferred to your computer's hard drive through your web browser that enables our website to recognise your browser and capture and remember certain information.

We might use multiple web analytics tools provided by service partners such as Google Analytics and Pingdom to collect information about how you interact with our website or mobile applications, including what pages you visit, what site you visited prior to visiting our website, how much time you spend on each page, what operating system and web browser you use and network and IP information. These tools will place cookies in your browser that can be used to identify you the next time you visit our website. We use this information to improve our services.

Each cookie can only be used by the service provider (example: Google for Google Analytics) and will not be used by anyone else. The information collected from the cookie may be transmitted to and stored by these service providers on servers in a country other than the country in which you reside. However, the information collected does not include data such as name, address, billing information, etc. The information collected is used and shared by these service providers in accordance with their individual privacy policies.

7. Why do we collect and hold personal information?

We may use and disclose the information we collect about you for the following purposes:

- assess our product suitability to you;
- provide you with our products and services;
- review and meet your ongoing needs;
- provide you with information we believe may be relevant or of interest to you;
- let you know about other products or services we offer, send you information about special offers or invite you to events;
- consider any concerns or complaints you may have;
- comply with relevant laws, regulations and other legal obligations of an Australian Financial Services Licensee;
- help us improve the products and services offered to our customers and enhance our overall business;

We may also use and disclose your personal information for secondary purposes which are related to the primary purposes set out above, or in other circumstances authorised by the Privacy Act.

Sensitive information will be used and disclosed only for the purpose for which it was provided (or a directly related secondary purpose), unless you agree otherwise, or an exemption in the Privacy Act applies.

8. Who might we disclose personal information to?

We may disclose personal information to:

- **a related entity of IC Markets;**

If you utilize our services from a country other than the country where our servers are located, your communications with us may result in transferring your personal data across international borders. Also, when you call us or initiate a chat, we may provide you with support from outside your country of origin. This could be from either our head office in Australia or to an associated company located in another country, such as, our associated office in Cyprus. In these cases, your personal data is handled according to this Privacy Policy.

- **an agent, contractor, or service provider** we engage to carry out our functions and activities, such as:
 - **EV service providers:** Your details such as name, date of birth, address, drivers' licence, or passport details (if provide to us by you) will be used during the onboarding process by our EV providers to help us identify you via the **Australian Government's Document Verification Service (DVS)** or other **EV** data sources held by the service provider.
 - **Credit-reporting agencies:** We may also use your personal information to obtain a credit report from a credit-reporting agency. The report may contain personal credit information about you. We may also contact any credit provider named in the credit report, or any credit provider whose details have been provided to us by you, to obtain information relevant to opening your account or collecting overdue payments in relation to any trading activity.
 - **Our lawyers, accountants, auditors, or other advisers and service providers:** If we disclose your personal information to service providers that perform business activities for us, they may only use your personal information for the specific purpose for which we supply it. We will ensure that all contractual arrangements with third parties adequately address privacy issues, and we will make third parties aware of this Privacy Policy.

- **organisations involved in a transfer or sale of all or part of our assets or business;**

In the event of sale or transfer of our business we will share your personal information with the parties involved if it is required as part of the sale or transfer arrangements.

- **organisations involved in managing payments, including payment merchants and other financial institutions, such as banks and other payment service providers;**

Your personal details and payment details are shared with our payment service providers in order to help us verify the ownership of your funds as per our obligations under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006. However, we will take reasonable steps when it is necessary to notify you if we are required to provide your personal information to third parties as part of a legal process.

- **regulatory bodies, government agencies, law enforcement bodies and courts;**

We cooperate with government and law enforcement officials and private parties to enforce and comply with the law. We will disclose any information about you to government officials or private parties as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal processes, to protect our property and rights or the property and rights of a third party, to protect the safety of the public or any person, or to prevent or stop activity we consider to be illegal or unethical.

- **financial product issuers and distributors;**

If we are required to involve a third party to issue and distribute a financial product to you, we will share relevant information about you to the issuers and distributors to assess the suitability of the financial products before it being issued or/and distributed to you. We will ensure that all contractual arrangements with third parties adequately address privacy issues, and we will make third parties aware of this Privacy Policy.

- **anyone else to whom you authorise us to disclose it or is required by law;**

We will share your personal information with a third party if we are required by law or if you authorise us to do so and it does not cause a conflict to any of our legal obligations as an Australian Financial Services Licensee.

9. Management of personal information

We recognise the importance of securing the personal information of our customers. We will take steps to ensure your personal information is protected from misuse, interference or loss, and unauthorised access, modification or disclosure.

Your personal information is generally stored in our computer database. Any paper files are stored in secure areas. In relation to information that is held on our computer database, we apply the following guidelines:

- passwords are required to access the system, and passwords are routinely checked;
- data ownership is clearly defined;

- we change employees' access capabilities when they are assigned to a new position;
- employees have restricted access to certain sections of the system;
- the system automatically logs and reviews all unauthorised access attempts;
- unauthorised employees are barred from updating and editing personal information;
- all computers which contain personal information are secured both physically and electronically;
- data is encrypted during transmission over the network; and
- print reporting of data containing personal information is limited.

Where our employees work remotely or from home, we implement the following additional security measures:

- two-factor authentication is enabled for all remote working arrangements;
- password complexity is enforced, and employees are required to change their password at regular intervals;
- we ensure that employees only have access to personal information which is directly relevant to their duties;
- employees are not permitted to work in public spaces;
- we use audit trails and audit logs to track access to an individual's personal information by an employee;
- we monitor access to personal information, and will investigate and take appropriate action if any instances of unauthorised access by employees are detected;
- employees must ensure that screens are angled so that they cannot be used by anyone else, and are locked when not in use;
- employees must ensure that no other member of their household uses their work device;
- employees must store devices in a safe location when not in use;
- employees may not make hard copies of documents containing personal information, nor may they email documents containing personal information to their personal email accounts; and
- employees may not disclose an individual's personal information to colleagues or third parties via personal chat groups.

10. Direct marketing and targeted advertisements

We may only use personal information we collect from you for the purposes of direct marketing without your consent if:

- the personal information does not include sensitive information; and
- you would reasonably expect us to use or disclose the information for the purpose of direct marketing; and
- we provide a simple way of opting out of direct marketing; and
- you have not requested to opt out of receiving direct marketing from us.

If we collect personal information about you from a third party, we will only use that information for the purposes of direct marketing if you have consented (or it is impracticable to obtain your consent), and we will provide a simple means by which you can easily request not to receive direct marketing communications from us. We will draw your attention to the fact you may make such a request in our direct marketing communications.

You have the right to request us not to use or disclose your personal information for the purposes of direct marketing, or for the purposes of facilitating direct marketing by other organisations. We must give effect to the request within a reasonable period of time. You may also request that we provide you with the source of their information. If such a request is made, we must notify you of the source of the information free of charge within a reasonable period of time.

Targeted advertisements or interest-based offers may be presented to you based on your activities on our webpages, and other websites, and based on the products you currently own. These offers will display as varying product banners presented to you while browsing.

We also partner with third parties to manage our advertising on our webpages and other websites. Our third-party service provider partners may use technologies such as cookies to gather information about such activities in order to provide you with advertising based upon your browsing activities and interests, and to measure advertising effectiveness.

If you wish to opt out of interest-based advertising, please go to your Account Details page or click the "Unsubscribe" button from the email sent. Please note you will continue to receive generic ads and important information and updates.

11. How do we keep personal information accurate and up to date?

We are committed to ensuring that the personal information we collect, use and disclose is relevant, accurate, complete and up-to-date.

We encourage you to contact us to update any personal information we hold about you. If we correct information that has previously been disclosed to another entity, we will notify the other entity within a reasonable period of the correction. Where we are satisfied information is inaccurate, we will take reasonable steps to correct the information within 30 days, unless you agree otherwise. We do not charge you for correcting the information.

12. Data retention

We store your data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for your data, we consider the amount, nature and sensitivity of the data, the potential risk of harm from unauthorised use or disclosure of your data, the purposes for which we process your data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting and other requirements.

By law we have to keep your personal data (including call recordings) during our business relationship and upon its termination, for a minimum period of up to 7 (seven) years from the date of termination or by the user of the Platform/Service they are using. The data storage period may be extended upon the request of the competent authority (regulator of the Company's licensed activities).

At the expiration of the data retention period the data is erased by irreversible destruction and we also inform all third parties, to whom the data was transferred, regarding such erasure and request implementation of similar actions on their part.

13. Accessing or deleting your personal information

Subject to the exceptions set out in the Privacy Act, you may gain access to the personal information that we hold about you by contacting the IC Markets. We will provide access within 30 days of the individual's request. If we refuse to provide the information, we will provide reasons for the refusal.

We will require identity verification and specification of what information is required. An administrative fee for search and photocopying costs may be charged for providing access.

If you make a request to delete your personal data and that data is necessary for the products or services you have purchased, the request will be honoured only to the extent it is no longer necessary for any services purchased and not in conflict with any of our legal obligations by law regarding customer data retention.

14. Updates to this Privacy Policy

This Privacy Policy will be reviewed from time to time to take account of new laws and technology, and changes to our operations and the business environment.

15. Responsibilities

It is the responsibility of management to inform employees and other relevant third parties about this Privacy Policy. Management must ensure that employees and other relevant third parties are advised of any changes to this Privacy Policy. All new employees are to be provided with timely and appropriate access to this Privacy Policy, and all employees are provided with training in relation to appropriate handling of personal information. Employees or other relevant third parties that do not comply with this Privacy Policy may be subject to disciplinary action.

16. Incidents and complaints handling

We have an effective complaint handling process in place to manage privacy risks and issues. For more details, please see our Complaints Management Policy on our website.

The complaints handling process involves:

- identifying (and addressing) any systemic/ongoing compliance problems;
- increasing consumer confidence in our privacy procedures; and
- helping to build and preserve our reputation and business.

You can make a complaint to us about the treatment or handling of your personal information by lodging a complaint with the Compliance Department.

If you have any questions about this Privacy Policy, or wish to make a complaint about how we have handled your personal information, you can lodge a complaint with us by:

- writing – via post:
Privacy Officer/Compliance Department
International Capital Markets
Level 4/50 Carrington St, Sydney NSW 2000
- emailing – compliance@icmarkets.com.au

If you are not satisfied with our response to your complaint, you can also refer your complaint to the Office of the Australian Information Commissioner (OAIC) by:

- telephoning – 1300 363 992
- writing – via post:
Director of Complaints
Office of the Australian Information Commissioner
GPO Box 5218, SYDNEY NSW 2001
- emailing - enquiries@oaic.gov.au
- online submission via link: https://forms.business.gov.au/smartforms/landing.htm?formCode=APC_PC

17. Contractual arrangements with third parties

We ensure that all contractual arrangements with third parties adequately address privacy issues, and we make third parties aware of this Privacy Policy.

Third parties will be required to implement policies in relation to the management of your personal information in accordance with the Privacy Act. These policies include:

- regulating the collection, use and disclosure of personal and sensitive information;
- de-identifying personal and sensitive information wherever possible;
- ensuring that personal and sensitive information is kept securely, with access to it only by authorised employees or agents of the third parties; and
- ensuring that the personal and sensitive information is only disclosed to organisations which are approved by us.

18. Your rights

This Privacy Policy contains information about how:

- you may access the personal information we hold about you;
- you may seek the correction of your personal information;
- you may ask us to provide an alternative means of identity verification for the purposes of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth);
- you may complain about a breach of the Privacy Act, including the APPs; and
- we will deal with a privacy complaint.