

resilience, reliability and resources to implement technical and organisational measures in such a manner that processing will meet the requirements of General Data Regulation and ensure the protection of the rights of the data subject.

The adherence of the processor to an SLA Contract is used as an element to demonstrate compliance with the obligations of the controller.

The carrying-out of processing by our processor it is governed by a contract other legal act under Union or Member State law, binding the processor to the controller.

This data sharing with our processor enables us to proceed with our regulated activities and duties to KYC in order to meet our regulatory obligations relating to assess the appropriateness of our products and services, provide support to clients, etc. Some of those third party recipients (processors) may be based outside the European Economic Area; if the third party recipient is located outside the EU/EEA in a country not ensuring an adequate level of data protection, the transfer will only be completed if a written agreement has been entered into between IC Markets International and the third party. The written agreement shall be based on the Standard Contractual Clauses approved by the European Commission (and any updated versions). — for further information including on how we safeguard your personal data when these cases occur, see paragraph ‘Transfer of your information out of the EEA

We will share personal information with law enforcement or other authorities if required by applicable law.

Cookie Data

We use cookies and similar technologies to provide and support our Services. When you use our website we will use cookies to distinguish you from other users of our website. For more information about cookies and how we use them, please read our Cookies Policy.

How our global services operate

Transfer of your information out of the EEA

Information collected within the European Economic Area (“EEA”) will be transferred to countries outside of the EEA for the purposes described in this policy and relying on the lawful basis of contractual necessity and compliance with our legal obligations.

We and our processors when data is transferred outside the EEA utilise standard contract clauses approved by the European Commission and we adopt other means under European Union law and may obtain your consent to legitimise data transfers from the EEA to and other countries.

How do we respond to legal requests or prevent harm?

We access, preserve and share your information with regulators, law enforcement or others by request:

- We can respond to legal requests when we have a good-faith belief that the response is required by law in that jurisdiction, affects users in that jurisdiction, and is consistent with internationally recognised standards.
- When we have a good-faith belief it is necessary to: detect, prevent and address fraud, unauthorised use of the services or products, violations of our terms or policies, or other harmful or illegal activity; to protect ourselves (including our rights, property or Products), you or others, including as part of investigations or regulatory inquiries; or to prevent death or imminent bodily harm. For example, if relevant, we provide information to and receive information from third-parties about the reliability of your account to prevent fraud, abuse and other harmful activity on and off our Products.

Information we receive about you (including financial transaction as data related to deposits and withdrawals) can be accessed and preserved for an extended period when it is the subject of a legal request or obligation, governmental investigation, or investigations of possible violations of our terms or policies, or otherwise to prevent harm. We also retain information from accounts disabled for terms violations for at least a year to prevent repeat abuse or other term violations.

Your rights

Under the [General Data Protection Regulation](#) you have a number of important rights if you are resident within the European Union. In summary, those include rights to:

- Fair processing of information and transparency over how we use your use personal information,
- The right to access personal data: via a Subject Access Request. Your request should be made in writing to dpo@icmarkets.com
- We may ask you for proof of identity before providing you with the data. There is usually no charge for such requests, however in limited circumstances we may be able to charge an administrative fee (and we will inform you in response to your request if that is the case).
- The right to request that your personal data is corrected if it is found to be inaccurate: require us to correct any mistakes in your information which we hold.
- The right to request that your personal data is erased where it is no longer necessary. In some circumstances this right may not apply e.g. if there is some other compelling reason for us to keep or process your data (and we will inform you in response to your request if that is the case).
- Right to data portability: to receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party (another controller) in certain situations.
- The right to withdraw consent to processing at any time, where relevant i.e. where we are relying on your consent to process the data and not another legal reason for processing.

- The right to object at any time to processing of personal information concerning you for direct marketing.
- The right not to be subject to a decision which is based solely on automated processing, including profiling which produces legal effects concerning them or significantly affects them.
- The right to object in certain other situations to our continued processing of your personal information.
- Otherwise restrict our processing of your personal information in certain circumstances

If you would like to exercise any of those rights, please:

- email to us at dpo@icmarkets.com
- let us have enough information to identify you (eg account number, username, registration details),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers, if you have them.

If you would like to unsubscribe from any emailing or any marketing communications you can also click on the 'unsubscribe' button at the bottom of the email or by sending an email at dpo@icmarkets.com stating so.

Legal basis for processing personal data

Reasons we can collect and use your personal information: Lawful basis for processing under EU data protection law, there must be a lawful basis for all processing of personal data (unless an exemption or derogation applies). We rely on:

- **Contractual necessity** Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract to conduct regulated activities, when processing is necessary for the entry into, or performance of contract with the data subject or in order to take steps at this or her request prior to the entry into a contract.
- **Compliance with legal obligations** Processing is necessary for compliance with our legal obligation. IC Markets International has the necessity for compliance with a legal obligation.
- **Legitimate interest** Data will only be processed where it is necessary for the purposes of the legitimate interests pursued by IC Markets International, and these interests or fundamental rights are not overridden by the interests, rights and freedoms of the data subject and that the processing would not cause unwarranted harm. For instance, it is a legitimate interest of IC Markets International to process personal data on data subjects in order to expand the business, develop new business relations prevention of fraud, maintaining the security of our systems if/when necessary, enhancing, modifying or improving our services. The data subject must be given information on the specific legitimate interest if a processing is based on this provision.

Keeping your personal information secure

Your Data is stored and kept confidential according to the legislation on protection of personal data and processing thereof applicable in the jurisdiction in which IC Markets International with which you have signed up is located.

We have appropriate security measures in place to prevent personal information from being accidentally lost, misused, modification, disclosure or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

How long your personal information will be kept

Data retention:

You can close your account any time, but for audit trail purposes, IC Markets International shall hold personal data for a period of at least five years after closing the account in order for us to comply with our record keeping obligations under the Money Laundering Regulations 2020.

At the end of that period, we will delete all personal data relating to you, unless a legal requirement requires them to keep the data for a prolonged period of time, or Data Subject has expressly consented to their data being held for an extended period of time.

What happens in the event of a change of control?

If we sell or otherwise transfer part or the whole of IC Markets International or our assets to another organization (e.g., in the course of a transaction like a merger, acquisition, bankruptcy, dissolution, liquidation), your information such as name and email address and any other information collected through the Service may be among the items sold or transferred. You will continue to own your User Content. The buyer or transferee will have to honour the commitments we have made in this Privacy Policy.

How to complain?

We hope that our Data Protection Officer, client support or compliance team can resolve any query or concern you raise about our use of your information.

The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority. In the Seychelles the Data Protection Act (the 'Act') was enacted in 2003 (Act No. 9 of 2003) with the aim of protecting the fundamental privacy rights of individuals against the use of data concerning

them without their informed consent. The Act will come into operation on such date as the Minister notifies in the official Gazette.

How to contact us?

If you wish to contact us with any queries, concerns or complaints, you can email us at dpo@icmarkets.com .

National requirements

IC Markets International shall comply with both the GDPR and national data protection legislation.

If applicable national legislation requires a higher level of protection for personal data than such policies/guidelines, such stricter requirements are to be complied with. If IC Markets International policies/guidelines are stricter than the local legislation, our policies/guidelines must be complied with.

Changes to this privacy notice

This privacy notice was published in May 2019 and last updated in November 2020.

We may change this privacy policy from time to time, when we will inform you via our Website or via email.

Do you need extra help?

If you would like this notice in another format (for example: audio, large print, braille) please contact us (see 'How to contact us' above).