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PRIVACY POLICY

Place a Trade

RESPECTING YOUR PRIVACY

This Client Agreement is issued to you by Focus Markets Pty Ltd ("Focus") (ABN 96 167 517 544) trading as Place a Trade Group. Our registered address is Level 6, 360 Collins Street, Melbourne, VIC 3000, Australia. Any reference to 'us', 'our', 'we', 'it' or 'Place a Trade' in this Privacy Policy is a reference to Place a Trade Group.

Protecting your privacy, and the confidentiality of your personal information is important to us. Place a Trade is committed to managing your personal information in an open and transparent way. This Privacy Policy outlines how Place a Trade manages, handles and protects the personal data it collects and holds about you in accordance with the *Privacy Act 1988* (Cth) ('Privacy Act') and the Australian Privacy Principles ('APPs').

To the extent that it is necessary to do so, Place a Trade also complies with the requirements of the EU General Data Protection Regulation (**GDPR**) as adopted by EU Member States. The APPs and the GDPR share many common requirements. Where an obligation imposed by the APPs and the GDPR are the same, but the terminology is different, Place a Trade will comply with the terminology and wording used in the APPs, and this will constitute Place a Trade's compliance with the equivalent obligations in the GDPR. If the GDPR imposes an obligation on Place a Trade that is **not** imposed by the APPs, or the GDPR obligation is **more onerous** than the equivalent obligation in the APPs, Place a Trade 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 Place a Trade, must abide by this Privacy Policy displayed on our website. This Privacy Policy is reviewed regularly to take into account changes in legislation, technology, and the operations and practices of Place a Trade.

PERSONAL INFORMATION PLACE A TRADE COLLECTS

Personal information we collect about you may include:

- your name;
- your contact details, including email address, postal address, and telephone number;
- your date of birth;
- your driver's licence number;
- a copy of your passport or identification card or your passport/ID card number;
- your employment details;
- your taxation information;
- financial information including about your income, assets and liabilities;
- trading statements;
- details of your nominated bank account;
- your browser session and geo-location data, device and network information, statistics on page views and sessions, acquisition sources, search queries and/or browsing behaviour;
- information about your access and use of our website, including through the use of cookies, your communications with our site, the type of browser you are using, the type of operating system you are using and the domain name of your internet service provider;
- additional personal information that you provide to us, directly or indirectly, through your use of our site, associated applications, associated social media platforms and/or accounts from which you permit us to collect information; and
- any other personal information requested by us and/or provided by you or a third party.

COLLECTING YOUR PERSONAL INFORMATION

Place a Trade only collects personal information that is reasonably necessary for providing our products and services. Due to the nature of the products and services that we provide, and our associated legal and regulatory

obligations, we are unable to allow you to deal with us on an 'anonymous' basis.

Collecting Sensitive Information

'Sensitive Information' refers to personal information about a person's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, genetic information or health information.

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.

Collecting Information Required by Law

In order to open a trading account with us and deposit funds, we are required under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) ('AML/CTF Act') to collect certain information from you to verify your identity (i.e. your driver's licence or passport). We may also collect your Australian Tax File Number ('TFN'). We will only collect your TFN to determine whether you are subject to withholding tax on any payments you receive and for no other purpose. If we collect your TFN, we will handle your TFN in accordance with the Privacy Act and the TFN Rule issued by the Commissioner.

We may be required to ask about your tax residency status under taxation information sharing agreements the Australian government has in place with other countries. For example, a tax treaty between Australia and the United States, formed under US law (Foreign Account Tax Compliance Act), requires us to ask you whether you are a

US citizen or US resident for tax purposes when you apply for a trading account. This intergovernmental agreement has been implemented into Australian domestic law through the *Tax Laws Amendment (Implementation of the FATCA Agreement) Act 2014* (Cth). If you are a tax resident of another country, the relevant treaty or law may require us to collect your relevant foreign tax identification number.

Unsolicited information

If you provide personal information that we have not requested, we will only retain it in limited circumstances. We will only retain the information if it is reasonably necessary for us to provide you with products and services, and you have consented to the information being collected, or it was not practical or reasonable for us to obtain your consent under the circumstances. If these conditions are not met, we will destroy the information. If the unsolicited information we receive about you is sensitive information, we will always obtain your consent.

USING YOUR PERSONAL INFORMATION

We may use your personal information for several different purposes, including:

- to consider your application for a product or service;
- to enable us to provide a product or service;
- to tell you about other products and services that may be of interest to you;
- to assist in arrangements with other organisations in relation to a promotion or provision of a product or service;
- to manage accounts or perform other administrative and operational tasks (including risk management, systems development and testing, credit scoring and staff training, collecting debts and market or customer satisfaction research);
- to consider any concerns or complaints you raise against us and/or to manage any legal action;

- to prevent or investigate any actual or suspected fraud, unlawful activity or misconduct;
- to identify you or establish your tax status under any Australian or foreign legislation, regulation or treaty, pursuant to an agreement with any tax authority;
- as required by relevant laws, regulations, codes of practice and external payment systems; and
- brokers and/or other related entities who may have introduced you to us.

We may also disclose your personal information to related entities or business partners to enable them to tell you about a product or service that may be of interest to you.

LEGAL BASIS FOR PROCESSING YOUR DATA (EEA)

If you reside in the European Economic Area (EEA), we collect and process information about you only where we have a legal basis to do so under the GDPR.

The legal basis we rely on depends on the services you use and how you use them. This means we collect and use your information only where:

- we need to process your data to comply with a legal obligation;
- it satisfies a legitimate interest (which is not overridden by your data protection interests), such as for research and development, to market and promote our services, and to protect our legal rights and interests;
- you give us consent to do so for a specific purpose.

If you have consented to our use of information about you for a specific purpose, you have the right to change your mind at any time, but this will not affect any processing that has already taken place.

Where we are using your information because we have a legitimate interest to do so, you have the right to object to that use. However, this may mean you will no longer be able to access our products or services.

SHARING YOUR PERSONAL INFORMATION

Depending on the product or service concerned and particular restrictions on sensitive information, where necessary, we may need to share or disclose personal information about you to the following organisations:

- any related entities of Place a Trade in Australia and elsewhere in the world which provide financial and other services for Place a Trade;
- credit reporting or reference agencies;
- an agent, contractor or service provider we engage to carry out our functions and activities, such as our lawyers, accountants, debt collectors or other advisers;
- organisations involved in managing payments, including payment merchants and other financial institutions, such as banks;
- regulatory bodies, government agencies, law enforcement bodies and courts;
- financial product issuers and credit providers;
- if you were introduced to Place a Trade by a third-party, we may disclose personal and account information about you to them, their related companies and licensees or authorised representatives;
- organisations involved in a transfer or sale of all or part of our assets or business;

- anyone else to whom you authorise us to disclose it or is required by law or contract.

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.

Your personal information may be disclosed to any third party who may be located outside Australia and, if you are an individual located in the EEA, to third parties that reside outside the EEA.

We will not send personal information to recipients outside of Australia unless:

- we have taken reasonable steps to ensure that the recipient does not breach the Act, the APPs;
- the recipient is subject to an information privacy scheme similar to the Privacy Act; or
- you have consented to the disclosure.

If you consent to your personal information being disclosed to an overseas recipient, and the recipient breaches the APPs, we will not be accountable for that breach under the Privacy Act, and you will not be able to seek redress under the Privacy Act.

Before Place a Trade discloses personal information to an overseas recipient, it must take reasonable steps to ensure that the recipient does not breach the APPs in relation to that information.

Place a Trade will only transfer personal data outside of EU jurisdictions where the recipient jurisdiction has been

assessed as "adequate" in terms of data protection, where sufficient safeguards (such as a binding contract or corporate rules) have been put in place, or a listed exception applies.

DIRECT MARKETING

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.

OBTAINING YOUR CONSENT

Where your consent is required to use and/or disclose personal information about you, i.e for a different purpose to which it was collected (a secondary purpose). We will ensure:

- you are adequately informed before giving consent
- you give consent voluntarily
- the consent is current and specific; and

you have the capacity to understand and communicate consent. If the GDPR applies to you and we rely on your consent as our legal basis for processing your personal information, you have the right to withdraw that consent at any time by contacting us.

USE OF COOKIES AND OTHER TRACKING TECHNOLOGY

Our website(s) have links to external third-party websites that may benefit you. Please keep in mind that these third-party websites are not covered by this Privacy Policy and these sites are not subject to our privacy standards and procedures.

We also use cookies to give you access to certain pages of our website(s) without having to log in each time you visit. Likewise, we may use independent external service providers to track the traffic and usage on our website(s).

Please note that 'cookies' are small pieces of text stored on your computer to help us determine the type of browser and settings you are using, where you have been on our website(s), what you have downloaded, where you came from, and to ensure your information is secure. The purpose of cookies is to provide you with a more relevant and effective experience on our website(s), including

presenting web pages according to your needs or preferences.

Cookies are frequently used on many websites on the internet, and you can choose if and how a cookie will be accepted by changing your preferences and options in your browser. However, please note that you may not be able to access some parts of our website(s) if you choose to disable the cookie acceptance in your browser, particularly the secure parts of the website(s). Therefore, we recommend you have the cookies function enabled to benefit from all the services on our website(s).

Please also note that we are constantly improving the functionality on our website(s). This may mean a change to the way in which personal information is collected or used. The impact of any changes in technology which, as a result, may affect your privacy, will be included in this Privacy Policy.

GDPR OBLIGATIONS AS A DATA CONTROLLER

If you reside in the EEA, your personal data will:

- be processed lawfully, fairly and in a transparent way;
- only be collected for the specific purposes we have identified in this policy and personal information will not be processed in a way that is incompatible with the purposes we have identified;
- be collected in a way that is adequate, relevant and limited to what is necessary in relation to the purpose for which the personal information is processed;
- be kept up to date;
- be kept in a form which permits us to identify you, but only for so long as necessary for the purposes for which the personal data was collected; and
- be processed securely and in a way that protects against unauthorised or unlawful processing and against accidental loss, destruction or damage.

We also apply these principles to the way we collect, store and use the personal information of our Australian clients. Specifically, we have the following measures in place, in accordance with the GDPR:

- Data protection policies: We have internal policies in place which set out where and how we collect personal information, how it is stored and where it goes after we get it, in order to protect your personal information.
- The right to ask us to erase your personal information: You may ask us to erase personal information we hold about you (please be aware that we will only destroy or de-identify personal information that we no longer require for a lawful business purpose)
- The right to ask us to restrict data processing: You may ask us to limit the processing of your personal information where you believe that the personal information we hold about you is wrong (to give us enough time to verify if the information needs to be changed), or where processing data is unlawful and you request us to restrict the processing of personal information rather than it being erased.
- Notification of data breaches: We will comply with the GDPR in respect of any data breach.

MANAGING YOUR PERSONAL INFORMATION

Place a Trade takes all reasonable steps to protect your personal information and data from misuse and loss, and from unauthorised access, modification and disclosure.

Staff receive training around their obligations when they collect and handle personal information.

Your personal information is stored in a combination of secure computer storage facilities, paper-based files and other records.

We maintain physical security, such as locks and security systems, over our paper and electronic data stores and premises. We also maintain computer and network security.

For example, we use firewalls (security measures for the internet) and other security measures, such as identification codes and passwords, to control access to computer systems. We continually maintain and monitor our online security systems to ensure that our online services are secure and that your personal information is appropriately protected when you use these services.

Please note that we may need to maintain your personal information for a significant period of time. When we are no longer permitted to keep your information, we will remove and/or destroy your personal information accordingly.

YOUR RIGHTS AND CONTROLLING YOUR PERSONAL INFORMATION CHOICE AND CONSENT

By providing personal information to us, you consent to us collecting, holding, using and disclosing your personal information in accordance with this Privacy Policy.

You do not have to provide personal information to us. However, we will be unable to provide you with our products and services.

Information from third parties: If we receive personal information about you from a third party, we will protect it, as set out in this Privacy Policy.

If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by contacting us using the details below.

If you believe that the personal information Place a Trade holds about you is inaccurate, incomplete or out-of-date as a result of changes of address and other personal circumstances, you should contact us as soon as possible. We will take reasonable steps to correct any information found to be inaccurate, incomplete, misleading or out of date.

We can update your personal information over the telephone or by email from your registered email address (please note that we will need to confirm your identity before making any amendments). We will also periodically require you to confirm the personal information we hold as part of our ongoing customer due diligence obligations under the AML/CTF Act.

To unsubscribe from our e-mail database or opt-out of communications, which includes marketing communications, please contact us using the details below or opt-out using the opt-out facilities provided in the communication.

Spam Act: *The Spam Act 2003* (Cth) ('Spam Act') prohibits the sending of unsolicited commercial electronic messages—known as spam—with an Australian link. A message has an Australian link if it originates or was commissioned in Australia or originates overseas but was sent to an address accessed in Australia. "Spam" is a generic term used to describe electronic junk mail or unwanted messages sent to a person's e-mail account or mobile phone. In Australia, spam is defined as 'unsolicited commercial electronic messages'. 'Electronic messaging' covers e-mails, instant messaging, SMS and other mobile phone messaging, but does not cover normal voice-to-voice communication by telephone. We comply with the provisions of the Spam Act when sending commercial electronic messages.

"Do Not Call" Register: Unless you ask us not to contact you about our products or services and not to disclose your information to others for that purpose, by accessing our website and applying for a Demo or Live Account, you consent to us contacting you via telephone while you hold any product or receive any services from us. This is notwithstanding registration at any time of your telephone number on the 'Do Not Call' Register.

PRIVACY COMPLAINTS

If you have a concern or complaint about the use of your personal information (you think Place a Trade have

breached this Privacy Policy and/or the Privacy Act, the APPs, the GDPR or any applicable legislation) you can make a complaint by contacting us using the details below:

Phone: +61 3 83758802
(9am - 7pm AEST/AEDT weekdays)

Email: support@placeatrade.com

Address: Level 6, 360 Collins Street, Melbourne, VIC 3000, AU

We will aim to respond within 48 business hours to let you know who is responsible for managing your complaint and will try to resolve your complaint within 10 business days. When this is not possible, we will contact you within that time to let you know how long it will take to resolve your complaint.

We will investigate your complaint thoroughly and write to you explaining our decision.

If you are not satisfied with our response, you have the right to contact the Office of the Australian Information Commissioner ('OAIC') to lodge a privacy complaint. When we write to you about our decision, we will also explain how you may access an external dispute resolution scheme or make a complaint to the OAIC.