

## Privacy Policy Globiance

### 1. Introduction

**Last updated: March 5th, 2020**

As part of our daily business operations, we collect personal information from our clients and prospective clients in order to provide them with our products and services and ensure that we can meet their needs when providing these products and services, as well as when providing them with any respective information.

Your privacy is of utmost importance to us, and it is our policy to safeguard and respect the confidentiality of information and the privacy of individuals. This Privacy Notice sets out how Globiance products and services provided in Europe by Globiance Europe OU; its affiliates and subsidiaries (collectively, "Globiance", "the Company", "We", "Us"), collects, uses and manages the personal information we receive from you, or a third party, in connection with our provision of services to you or which we collect from your use of our services and/or our website. The Privacy Notice also informs you of your rights with respect to the processing of your personal information.

Please note that if you are an employee of the Company, a contractor to the Company or a third-party provider, your personal information will be used in connection with your employment contract or your contractual relationship, whichever applies.

This Privacy Notice applies to the processing activities performed by Globiance to the personal information of its clients and its potential clients and website visitors.

We may amend this Privacy Notice at any time by posting the amended version on this site including the effective date of the amended version. We will announce any material changes to this Privacy Notice on our website.

### 1. About Globiance

Globiance and its direct and indirect subsidiaries offer via its websites <https://www.globiance.com>, <https://exchange.globiance.com> (together hereinafter referred to as "website" or "platform") services and products related to buying and selling cryptocurrencies and other digital assets.

Financial services will be provided only through licensed banking partners.

Globiance is the content provider of the platform as well as responsible for the offer of cryptocurrencies on it. Globiance consists of the following companies which are all subsidiaries of Globiance:

Globiance Europe OU

Roosikrantsi tn 2-1045 Kesklinna linnaosa

Tallinn Harju maakond 10119

Estonia

Registration number: 14753335

licensed in Estonia:

FRK000884 Financial services - Providing a virtual currency wallet service

FVR000992 Financial services - Providing services of exchanging a virtual currency against a fiat currency

- Applicability: To whom this Privacy Policy applies? This Privacy Policy applies

to all natural and legal persons who use Globiance`s services, the website or interact otherwise with

Globiance (e.g. business partners, interested parties, service providers, etc.);

generally, such person hereinafter called "Client" or "you"

## 2. DEFINITIONS

3.1 As used herein, the following terms are defined as follows:

3.1.2 “Globiance Account” means a user-accessible account offered via Globiance where Digital Assets are stored.

3.1.3 “Personal Information” or “Personal Data” or “your data” refers to any information relating to you, as an identified or identifiable natural person, including your name, an identification number, location data, or an online identifier or to one or more factors specific to the physical, economic, cultural or social identity of you as a natural person.

## 3. Your Data Controller

Our products and services are provided through local operating entities that are subsidiaries of Globiance.

You are contracting with one of Globiance group company and the company you are contracting with is your Data Controller, and is responsible for the collection, use, disclosure, retention and protection of your personal information in accordance with our global privacy standards, this Privacy Notice, as well as any applicable national laws. The Company uses encryption to protect your information and store decryption keys in separate systems. We process and retain your personal information on our servers located in the European Union.

## 4. How do we protect personal information?

The Company respects the privacy of any users who access its website, and it is therefore committed to taking all reasonable steps to safeguard any existing or prospective clients, applicants and website visitors.

The Company keeps any personal data of its clients and its potential clients in accordance with the applicable privacy and data protection laws and regulations.

We have the necessary and appropriate technical and organizational measures and procedures in place to ensure that your information remains secure at all times. We regularly train and raise awareness for all our employees to the importance of maintaining, safeguarding and respecting your personal information and privacy. We regard breaches of individuals’ privacy very seriously and will impose appropriate disciplinary measures, including dismissal from employment.

The personal information that you provide us with when applying to open an account, applying for a role within the Company, or when using our website, is classified as registered information,

which is protected in several ways. You can access your registered information after logging in to your account by entering your username and the password that you have selected. It is your responsibility to make sure that your password is only known to you and not disclosed to anyone else. Registered information is securely stored in a safe location, and only authorized personnel have access to it via a username and password. All personal information is transferred to the Company over a secure connection, and thus all reasonable measures are taken to prevent unauthorized parties from viewing any such information. Personal information provided to the Company that does not classify as registered information is also kept in a safe environment and accessible by authorized personnel only through username and password.

## 5. Information we may collect about you

In order to open an account with us, you must first complete and submit a “create account” form to us by completing the required information. By completing this form, you are requested to disclose personal information in order to enable the Company to assess your application and comply with the relevant laws (including their regulations).

The information that we collect from you is as follows:

- Full name, residential address and contact details (e.g. email address, telephone number etc.);
- Date of birth, place of birth, gender, citizenship;
- Bank account information, credit or debit card details, including details about your source of funds, assets and liabilities;
- Trading account balances, trading activity, your inquiries and our responses;
- Information on whether you hold a prominent public function (PEP);
- Verification information, which includes information necessary to verify your identity such as a passport, driver’s license or Government-issued identity card);
- Other Personal Information or commercial and/or identification information – Whatever information we, in our sole discretion, deem necessary to comply with our legal obligations under various anti-money laundering (AML) obligations, such as under the European Union’s 5th AML Directive.

### General Provisions

Personal Information you provide during the account creation process will be retained for 5 years, for the duration of the entire business relationship (from initiation through performance to termination of a contract), and in principal 5 years after termination of the business relationship. Beyond this we retain your data only for a longer period, in accordance with statutory retention and documentation

obligations, to defend legal claims or with your explicit consent. Unless expressly stated in this Privacy Policy, personal data processed by us shall be erased as soon as they are no longer required for their intended purpose and the erasure does not conflict with any statutory retention obligations.

## 6. 7 Lawful basis for processing your personal information

We will process your personal information on the following bases and for the following purposes:

### **Performance of a contract**

We process personal data in order to provide our services and products, as well as information regarding our products and services based on the contractual relationship with our clients (i.e. so as to perform our contractual obligations). In addition, the processing of personal data takes place to enable the completion of our client on-boarding process.

In view of the above, we must verify your identity in order to accept you as our client and we will use your personal data in order to effectively manage your account with us. This may include third parties carrying out identity checks on our behalf. The use of your personal information is necessary for us to know who you are, as we have a legal obligation to comply with “Know Your Customer” and customer due diligence regulatory obligations.

### **Compliance with a legal obligation**

There are number of legal obligations imposed by relevant laws to which we are subject, as well as specific statutory requirements e.g. anti-money laundering laws, financial services laws, corporation laws, privacy laws and tax laws. There are also various supervisory authorities whose laws and regulations apply to us. Such obligations and requirements imposed on us necessary personal data processing activities for identity verification, payment processing, compliance with court orders, tax laws or other reporting obligations and anti-money laundering controls.

These obligations apply at various times, including client on-boarding, payments and ongoing monitoring for risk management.

### **For the purpose of safeguarding legitimate interests**

We process personal data so as to safeguard the legitimate interests pursued by us or by a third party. A legitimate interest is when we have a business or commercial reason to use your information. Example of such processing activities include the following:

- Initiating legal claims and preparing our defense in litigation procedures;
- Means and processes we undertake to provide for the Company's IT and system security, preventing potential crime, asset security and access controls;
- Measures for managing the business and for further developing products and services;
- Sharing your data within Globiance group of companies for the purpose of updating and/or verifying your personal data in accordance with the relevant anti-money laundering compliance frameworks, and
- Risk management.

**To provide you with products and services, or information about our products and services, and to review your ongoing needs.**

Once you successfully open an account with us, or subscribe to information, we must use your personal information to perform our services and comply with our obligations to you. It is also in our legitimate interests to try to ensure that we are providing the best products and services so we may periodically review your needs based on our assessment of your personal information to ensure that you are getting the benefit of the best possible products and services from us.

**To help us improve our products and services, including support services, and develop and market new products and services.**

We may, from time-to-time, use personal information provided by you through your use of the services and/or through client surveys to help us improve our products and services. It is in our legitimate interests to use your personal information in this way to try to ensure the highest standards when providing you with our products and services and to continue to be a market leader within the cryptocurrency financial service industry.

**To investigate or settle enquiries or disputes**

We may need to use personal information collected from you to investigate issues or to settle disputes with you because it is our legitimate interest to ensure that issues and disputes get investigated and resolved in a timely and efficient manner.

**To comply with applicable laws, subpoenas, court orders, other judicial process, or the requirements of any applicable regulatory authorities**

We may need to use your personal information to comply with any applicable laws and regulations, subpoenas, court orders or other judicial processes, or requirements of any applicable regulatory authority. We do this not only to comply with our legal obligations but because it may also be in our legitimate interest to do so.

### **To send you surveys**

From time to time, we may send you surveys as part of our client feedback process. It is in our legitimate interest to ask for such feedback to try to ensure that we provide our products and services at the highest standard. However, we may from time to time also ask you to participate in other surveys and if you agree to participate in such surveys, we rely on your consent to use the personal information we collect as part of such surveys. All responses to any survey we send out whether for client feedback or otherwise will be aggregated and depersonalized before the results are published and shared.

### **Marketing purposes**

We may use your personal information to send you marketing communications by email or other agreed forms (including social media campaigns), to ensure you are always kept up to date with our latest products and services. If we send you marketing communications, we will do so based on your consent and registered marketing preferences.

### **Internal business purposes and record keeping**

We may need to process your personal information for internal business and research purposes as well as for record keeping purposes. Such processing is in our own legitimate interests and is required in order to comply with our legal obligations. This may include any communications that we have with you in relation to the products and services we provide to you and our relationship with you. We will also keep records to ensure that you comply with your contractual obligations pursuant to the agreement ("Terms & Conditions") governing our relationship with you.

### **Legal Notifications**

Often the law requires us to advise you of certain changes to products or services or laws. We may need to inform you of changes to the terms or the features of our products or services. We need to process your personal information to send you these legal notifications. You will continue to receive this information from us even if you choose not to receive direct marketing information from us.

## **7. Disclosure of your personal information**

The Company will not disclose any of its clients' confidential information to a third party, except: (a) to the extent that it is required to do so pursuant to any applicable laws, rules or regulations;

(b) if there is a duty to disclose; (c) if our legitimate business interests require disclosure; (d) in line with our Terms of Service; (e) at your request or with your consent or to those described in this Privacy Notice. The Company will endeavour to make such disclosures on a “need-to-know” basis, unless otherwise instructed by a regulatory authority. Under such circumstances, the Company will notify the third party regarding the confidential nature of any such information.

As part of using your personal information for the purposes set out above, the Company may disclose your personal information to the following:

- Any members of the Company, which means that any of our affiliates and subsidiaries may receive such information;
- Any of our service providers and business partners, for business purposes, such as specialist advisors who have been contracted to provide us with administrative, financial, legal, tax, compliance, insurance, IT, debt-recovery, analytics, research or other services;

If the Company discloses your personal information to service providers and business partners, in order to perform the services requested by clients, such providers and partners may store your personal information within their own systems in order to comply with their legal and other obligations.

We require that service providers and business partners who process personal information to acknowledge the confidentiality of this information, undertake to respect any client’s right to privacy and comply with all relevant privacy and data protection laws and this Privacy Notice.

## 8. Where we store your personal data

Our operations are supported by a network of computers, servers, and other infrastructure and information technology, including, but not limited to, third-party service providers. We and our third-party service providers and business partners store and process your personal data in the European Union.

## 9. Disclosures for National Security or Law Enforcement

Under certain circumstances, we may be required to disclose your personal information in response to valid requests by public authorities, including to meet national security or law enforcement requirements.



## 10. Transfers of personal information outside of the European Economic Area (EEA) and the United Kingdom (UK)

We may transfer your personal information outside the EEA and UK to other Company subsidiaries, service providers and business partners (i.e Data Processors) who are engaged on our behalf. To the extent that we transfer your personal information outside of the EEA and UK, we will ensure that the transfer is lawful and that Data Processors in third countries are obliged to comply with the European Union (EU) General Data Protection Act 2016 and the UK Data Protection Act 2018. If transfers of personal information are processed in the US, we may in some cases rely on applicable standard contractual clauses, binding corporate rules, and EU-US Privacy Shield.

## 11. Transfers of Personal Information outside of your country

By using our products and services, you consent to your Personal Data being transferred to other countries, including countries that have differing levels of privacy and data protection laws than your country. In all such transfers, we will protect your personal information as described in this Privacy Notice, and ensure that appropriate information sharing contractual agreements are in place. Transfers of personal information from APAC countries will be in line with the APEC Framework.

## 12. Data Retention

Safeguarding the privacy of your personal information is of utmost importance to us, whether you interact with us personally, by phone, by email, over the internet or any other electronic medium. We will hold personal information, for as long as we have a business relationship with you, in secure computer storage facilities, and we take the necessary measures to protect the personal information we hold from misuse, loss, unauthorized access, modification or disclosure.

When we consider that personal information is no longer necessary for the purpose for which it was collected, we will remove any details that will identify you or we will securely destroy the records. However, we may need to maintain records for a significant period of time (after you cease being our client). For example, we are subject to certain anti-money laundering laws which

require us to retain the following, for a period of 5 years after our business relationship with you has ended.

- A copy of the records we used in order to comply with our client due diligence obligations;
- Supporting evidence and records of transactions with you and your relationship with us.

Also, the personal information we hold in the form of a recorded information, by telephone, electronically or otherwise, will be held in line with local regulatory requirements (i.e. 5 years after our business relationship with you has ended or longer if you have legitimate interests (such as handling a dispute with you)). If you have opted out of receiving marketing communications we will hold your details on our suppression list so that we know you do not want to receive these communications.

We may keep your data for longer than 5 years if we cannot delete it for legal, regulatory or technical reasons.

## 13. Cookies

When you use our products and services, we may make use of the standard practice of placing tiny data files called cookies, flash cookies, pixel tags, or other tracking tools (herein, "Cookies") on your computer or other devices used when engaging with us. We use Cookies to (i) help us recognize you as a customer, collect information about your use of our products and services, to better customize our services and content for you, and to collect information about your computer or other access devices to ensure our compliance with our AML obligations.

## 14. Your rights regarding your personal information

The rights that are available to you in relation to the personal information we hold about you are outlined below.

### **Information Access**

If you ask us, we will confirm whether we are processing your personal information and, if so, what information we process and, if requested, provide you with a copy of that information within 30 days from the date of your request.

### **Rectification**

It is important to us that your personal information is up to date. We will take all reasonable steps to make sure that your personal information remains accurate, complete and up-to-date. If the personal information we hold about you is inaccurate or incomplete, you are entitled to have it rectified. If we have disclosed your personal information to others, we will let them know about the rectification where possible. If you ask us, if possible and lawful to do so, we will also inform you with whom we have shared your personal information so that you can contact them directly.

You may inform us at any time that your personal details have changed by emailing us at [contact@globiance.com](mailto:contact@globiance.com). The Company will change your personal information in accordance with your instructions. To proceed with such requests, in some cases we may need supporting documents from you as proof i.e. personal information that we are required to keep for regulatory or other legal purposes.

### **Erasure**

You can ask us to delete or remove your personal information in certain circumstances such as if we no longer need it, provided that we have no legal obligation to retain that data. Such requests will be subject to the contract that you have with us, and to any retention limits we are required to comply with in accordance with applicable laws and regulations. If we have disclosed your personal information to others, we will let them know about the erasure request where possible. If you ask us, if possible and lawful to do so, we will also inform you with whom we have shared your personal information so that you can contact them direct.

### **Processing restrictions**

You can ask us to block or suppress the processing of your personal information in certain circumstances such as if you contest the accuracy of that personal information or object to us processing it. It will not stop us from storing your personal information. We will inform you before we decide not to agree with any requested restriction. If we have disclosed your personal information to others, we will let them know about the restriction of processing if possible. If you ask us, if possible and lawful to do so, we will also inform with whom we have shared your personal information so that you can contact them direct.

### **Data portability**

In certain circumstances you might have the right, to obtain personal information you have provided us with (in a structured, commonly used and machine readable format) and to re-use it elsewhere or ask us to transfer this to a third party of your choice.

## **Objection**

You can ask us to stop processing your personal information, and we will do so, if we are:

- Relying on our own or someone else's legitimate interests to process your personal information except if we can demonstrate compelling legal grounds for the processing;
- Processing your personal information for direct marketing; or
- Processing your personal information for research unless we reasonably believe such processing is necessary or prudent for the performance of a task carried out in the public interest (such as by a regulatory or enforcement agency).

## **Automated decision-making and profiling**

If we have made a decision about you based solely on an automated process (e.g. through automatic profiling) that affects your ability to access our products and services or has another significant effect on you, you can request not to be subject to such a decision unless we can demonstrate to you that such decision is necessary for entering into, or the performance of, a contract between you and us. Even if a decision is necessary for entering into or performing a contract, you may contest the decision and require human intervention. We may not be able to offer our products or services to you, if we agree to such a request (i.e. end our relationship with you).

# 15. Changes to this Privacy Notice

Our Privacy Notice is reviewed regularly to ensure that any new obligations and technologies, as well as any changes to our business operations and practices are taken into consideration, as well as that it remains abreast of the changing regulatory environment. Any personal information we hold will be governed by our most recent Privacy Notice.

If we decide to change our Privacy Notice, we will post those changes to this Privacy Notice and other places we deem appropriate so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it.

# 16. Our products and services are not available to children

Our products and services are not directed to persons under the age of 18, hereinafter "Children", "Child" and we do not knowingly collect personal information from Children. If we learn that we have inadvertently gathered personal information from a Child, we will take legally

permissible measures to remove that information from our records. The Company will require the user to close his or her account and will not allow the use of our products and services. If you are a parent or guardian of a Child, and you become aware that a Child has provided personal information to us, please contact us at [contact@globiance.com](mailto:contact@globiance.com) and you may request to exercise your applicable access, rectification, cancellation, and/or objection rights.

## 17. If you have a complaint

Any questions, complaints, comments and requests regarding this Privacy Notice are welcome and should be addressed to [contact@globiance.com](mailto:contact@globiance.com).

If you are not satisfied with our response to your complaint, you have the right to submit a complaint with our regulator. Can you contact the appropriate regulator direct details below:

**For residents of the European Union (United Kingdom):**

The Information Commissioner's Office  
Wycliffe House, Water Ln  
Wilmslow SK9 5AF, UK

**For residents of Japan:**

Personal Information Protection Commission  
Kasumigaseki Common Gate West Tower 32nd Floor,  
3-2-1, Kasumigaseki, Chiyoda-ku,  
Tokyo, 100-0013, Japan

**For residents of the United States:**

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

**For residents of the rest of the world (Singapore):**

Personal Data Protection Commission  
10 Pasir Panjang Road,  
#03-01 Mapletree Business City Singapore 117438