

1 INTRODUCTION

Henyep Capital Markets (UK) Limited (“HYCM”, “The Company”, “The firm”, “we” or “us”), is authorised and regulated by the Financial Conduct Authority in the UK. The company appears on the FCA’s Register: HYCM’s FCA registration number is 186171. Further information may be obtained from the FCA’s Register by visiting the FCA’s website <http://www.fca.org.uk/register>

The present privacy policy:

- provides an overview of how the Company collects, processes and uses your personal data and informs you about your rights under the local data protection law and the EU General Data Protection Regulation (“GDPR”),
- is directed to natural persons who are either current or potential customers of HYCM, or are authorised representatives/agents or beneficial owners of legal entities or of natural persons which/who are current or potential customers of HYCM,
- is directed to natural persons who had such a business relationship with the Company in the past,
- contains information about when we share your personal data with other members of the HYCM Group and other third parties (for example, our service providers or suppliers).

Through this privacy policy, your data may be called either “*personal data*” or “*personal information*”. We may also sometimes collectively refer to handling, collecting, protecting and storing your personal data or any such action as “processing” such personal data.

For the purposes of this policy, personal data shall mean any information relating to you which identifies or may identify you and which includes, for example, your name, address and identification number.

2 PURPOSE AND APPLICABILITY

The present Privacy Policy aims to help you better understand the most recent changes to the Privacy Policy and Cookie Policy and how they may impact you. To fully understand the changes and terms that will govern your use of our “Services,” you will need to read the full Privacy Policy and Cookie Policy.

This Privacy Policy applies to the processing activities performed by HYCM to the personal data of its clients and its potential clients, website visitors and employees. This Privacy Policy does not apply to websites operated by any other organisations or other third parties.

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

3 LAWFUL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION AND PURPOSES

We may process your personal data on the following bases and for the following purposes:

1. 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, processing of personal data takes place to be able to complete our client on-boarding/acceptance procedures.

In view of the above, we need to verify your identity in order to accept you as our client and we will need to use those details in order to effectively manage your trading account with us. This may include third parties carrying out sanctions 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.

2. Compliance with a legal obligation

There are a 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 impose on us necessary personal data processing activities for credit checks, identity verification, payment processing, compliance with court orders, tax law or other reporting obligations and anti-money laundering controls.

These obligations apply at various times, including client on-boarding/acceptance, payments and systemic checks for risk management.

3. For the purposes 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. Despite that, it must not unfairly go against what is right and best for you. Examples 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, admittance controls and anti-trespassing measures;
- setting up CCTV systems (e.g. at our premises for security reasons);
- measures to manage business and for further developing products and services;
- sharing your personal data within the HYCM Group for the purpose of updating/verifying your personal data in accordance with the relevant anti-money laundering compliance framework;
- risk management

4. For Identity Verification purposes

The Company needs to perform its due diligence measures and apply the principles of KYC (Know-Your-Client) before entering a client relationship in order to prevent actions, such as money laundering or terrorist financing, and also to perform other duties imposed by law. Therefore, we collect from our clients' identity verification information (such as images of your government issued national ID card or International Passport, or driving licence or other governmental proof of identification, as permitted by applicable laws) or other authentication information. We are also requesting our clients to provide us with a recent Utility Bill in order to verify their address. Further to this, the Company can use third parties which carry out identity checks on its behalf.

5. You have provided your consent

Our storage and use of your personal data is based on your consent (other than for the reasons described or implied in this policy when your consent is not required). You may revoke consent at any time; however, any processing of personal data prior to the receipt of your revocation will not be affected.

6. To assess the appropriateness of our services/products for the Clients

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

Once you successfully open a trading account with us, or subscribe to an update or webinar, we will need to 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 try to ensure that you are getting the benefit of the best possible products and services from us.

8. To help us improve our products and services, including customer 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 feedback forms 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 in the financial services industry.

9. To form a profile about you

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 in the financial services industry.

10. 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 in our legitimate interests to ensure that issues and disputes get investigated and resolved in a timely and efficient manner.

11. To comply with applicable laws, 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, court orders or other judicial process, or the 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.

12. Data analysis

Our website pages and e-mails may contain web beacons or pixel tags or any other similar type of data analysis tools that allow us to track receipt of correspondence and count the number of users that have visited our webpage or opened our correspondence. We may aggregate your personal information (such as trading history) with the personal information of our other clients on an anonymous basis (that is, with your personal identifiers removed) so that more rigorous statistical analysis of general patterns may lead to us providing better products and services

If your personal information is completely anonymised, we do not require a legal basis as the information will no longer constitute personal information. If your personal information is not in an anonymised form, it is in our legitimate interest to continually evaluate that personal information to ensure that the products and services we provide are relevant to the market.

13. Marketing purposes

We may use your personal information to send you marketing communications by email or phone or other agreed forms (including social media campaigns) to ensure that you are always kept up to date with our latest products and services. If we send you marketing communications we will either do so based on your consent or if it is in our legitimate interest. We will not disclose your information to any outside parties for the purpose of allowing them to directly market to you. You always have the right to change your option if you no longer wish to receive such communications

14. 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 services and products 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 governing our relationship with you.

15. 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.

16. Physical security

If you enter any of our premises we may record your image on our CCTV for security reasons. We may also take your details to keep a record of who has entered our premises on any given day. It is in our legitimate interest to do this to maintain a safe and secure working environment.

4 WHAT PERSONAL DATA DO WE COLLECT FROM YOU

Whether you are an actual client or potential client of ours, you may provide us with information in several ways by using website, account opening applications, webinar sign-up, subscribing to newsletters/updates or by corresponding with us either electronically, by phone or via email. This may consist of information you provide when registering to use our website, subscribing to any of the services and products we offer or if you report a problem with the website. We may also collect this information from external resources.

In order to open an account with us, you must first complete and submit an application form to us by completing the required information. By completing this application 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 you provide may also be used by the Company to inform you regarding its services.

The information that we may collect from you includes the following:

- full name, residential address and contact details (e.g. email address, telephone number, etc.);
- date of birth, place of birth, tax residency;
- information about your income and wealth, including details about your source of funds, value of savings, bank account information, trading statements, FATCA and CRS information and financial statements;
- trading account balances, trading activity, your inquiries and our responses;
- information on whether you hold a prominent public function (PEPs);
- profession and employment details;
- location data;
- preferences on trading account type and currency
- trading goals, risk, knowledge and experience;
- verification information, which includes information necessary to verify your identity such as a passport or driver's license (examples may also include background information we may receive about you from public records or from other entities not affiliated with us). Furthermore, we may collect other identifiable information, such as identification numbers and/or passport/tax registration numbers;
- any other information customarily used to identify you and about your trading experience which is relevant to us providing our services to you.

We obtain this information in a number of ways through your use of our services, including through any of our websites, apps, the account opening applications, our demo sign-up forms, webinar sign-up forms, subscribing to news updates, and from information provided in the course of ongoing customer service communications. We may also collect this information about you from third parties such your payment providers and through publicly available sources.

When you are a client of ours we keep records of your trading activity, comprising of:

- The products you traded and how they performed
- The interest or inclination to trading particular types of products

- The amount you invested in your accounts, and a history of the trades made.

Please note that we will never store your card details or any other information that we do not require for regulatory purposes.

We may ask you for other personal information voluntarily from time to time (for example, through surveys).

If you choose not to provide the information, we need to fulfil your request for a specific product or service, we may not be able to provide you with the requested product or service.

We may record any communications, electronic, by telephone, in person or otherwise, that we have with you in relation to the services we provide to you and our business relationship with you. These recordings will be our sole property and will constitute evidence of the communications between us. Such telephone conversations may be recorded without the use of a warning tone or any other further notice. Further, if you visit any of our offices or premises, we may have CCTV which will record your image.

5 WHO MAY WE DISCLOSE PERSONAL INFORMATION TO

We will endeavour to maintain your information in accordance with our internal policies governing the use and disclosure of confidential information and will only use it for the stated purpose. We will not share this information with any third party outside of HYCM, other than with the relevant Service Providers to enable them to assist in providing, maintaining and operating the Trading Services, unless we have your prior permission to do so or are required to do so by law. We do not sell, warrant, license or else provide your personal data to any third parties for any marketing purpose. However, we may share your information with:

- Supervisory and other regulatory and public authorities, notary offices, tax authorities, criminal prosecution authorities as much as a statutory obligation exists.;
- Any member of our group (as defined in the UK Companies Act such as our subsidiaries, our ultimate company and its subsidiaries, and successors in title to our business);
- Credit and financial institutions such as banks, payment systems and processors, institutions participating in the trade execution and execution venues (for example regulated markets, multilateral trading facilities, trade repositories and other local or foreign brokers)
- External legal consultants authorised by the Company
- Financial and business advisors authorised by the Company
- Auditors and accountants authorised by the Company
- Marketing and advertising agencies
- Fraud prevention agencies
- File storage companies, archiving and/or records management companies, cloud storage companies
- External authorised processors for processing client data
- Anybody authorised by you.

Details of the purposes for collecting Personal Data are set out in our Data Protection registration with the ICO under Registration Number: ZA294134

<https://ico.org.uk/ESDWebPages/Entry/ZA294134>

Any personal information you provide to us through this website will be dealt with in accordance with our Privacy Policy, the Terms and Conditions of use of this website and any signed authority form that you give to us.

6 PERSONALISATION

We use personal data such as your location, trading history and alike to deliver tailored content, such as news, research, reports, and business information and to personalise your experience with our services.

7 CONTACTING US VIA EMAIL AND LIVE CHAT

When you email us (through the Contact Us page) or use the Live Chat feature, you may be requested to provide some additional personal data, like your name, email address and contact number. We will use this data to respond to your query and verify your identity. Emails are stored on our standard internal contact systems which are secure and cannot be accessed by external parties.

8 THIRD PARTY LOGIN

You may choose to use your own social networking logins to log into our Platform. If you choose to connect using a social networking or similar service, we may receive and store authentication information from that service to enable you to log in and other information that you may choose to share when you connect with these services. These third-party services may collect information such as the web pages you visited and IP addresses, and may set cookies to enable features to function properly. We are not responsible for the security or privacy of any information collected by these third parties. You should review the privacy statements or policies applicable to the third-party services you use to connect to the Platform. If you do not want your personal data shared with your social media account provider or other users of the social media service, please do not connect your social media account with your HYCM account and do not use the related functionality on the Platform.

9 TRADE ACTIVITY ON THE PLATFORM

In order to meet with our internal compliance and regulatory obligations we monitor your trading activity such as the frequency of your trading and number of trades, and monetary activity such as number of deposits/withdrawals, payment methods used, your device information and IP.

10 TRANSFERS OF DATA OUTSIDE OF THE EUROPEAN ECONOMIC AREA

We may transfer your personal information outside the European Economic Area (EEA) to other HYCM Group companies as well as service providers (i.e. processors) who are engaged on our behalf. To the extent we transfer your information outside the EEA, we will ensure that the transfer is lawful and that processors in third countries are obliged to comply with the European data protection laws or other countries' laws which are comparable and to provide appropriate safeguards in relation to the transfer of your data in accordance with GDPR Article 46. If we make transfers to processors in the USA, we may in some cases rely on applicable standard contractual clauses, binding corporate rules, the EU-US Privacy Shield or any other equivalent applicable arrangements.

In view of the above, your personal information may be processed by staff in the HYCM Group operating outside the EEA who work for us, another HYCM Group entity or for one of our service providers. Such staff may be, among others, engaged in the fulfilment of your requests, the processing of your payment details and the provision of support services. By submitting your personal data, you agree to this transfer, storing and processing. The Company will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy.

11 USE OF COOKIES

We use cookies to analyse our website and improve your experience of our site. Cookies allow us to better know our customers, helps us provide a more relevant and effective experience which caters to your website's needs and preferences. It enables us to make improvements and provide a better customer experience to all our customers. For further information on HYCM's use of cookies, please look at our '[Cookie Policy](#)' which can be accessed via our website.

12 WHAT WE USE OF YOUR PERSONAL INFORMATION FOR?

We use information held about you in the following ways:

- To evaluate whether the services we offer are appropriate for you use and your eligibility;
- To verify your identity and background before we conduct business with you;
- To create your account and provide you with the services and products we offer, and you request from us;
- To ensure we comply with our regulatory obligations;
- To handle any complaints or queries we receive from you;
- To notify you about changes to our services and products;
- To improve our website and services;
- To provide you with information about the services we offer that may correspond with those you have already enquired about or may be of interest to you.

13 CONSENT

If our use of your personal information requires your consent, such consent will be provided in accordance with the express written terms which govern our business relationship (which are available on our website(s), as amended from time to time), or any other contract we may have entered into with you or as set out in our communication with you from time to time. If we rely on your consent as our legal basis for holding and processing your personal information, you have the right to withdraw that consent at any time by contacting us using the contact details set out in this Privacy Policy.

14 SECURITY OF YOUR INFORMATION

Protecting the confidentiality of your personal information is of paramount importance to us here at HYCM. We have in place both technical and organisational measures to guarantee your information is kept safe and secure. Our staff are trained to ensure client information is respected and handled appropriately, ensure the data of the client is confidential and the privacy of client is maintained. Any breaches of your privacy will be taken treated severely and will result in penalties, including dismissal and termination of contract where necessary.

15 RETENTION PERIOD

We will only retain your personal data for as long as we reasonably require it for legal or business purposes subject to a maximum of seven years. In determining data retention periods, we take into account local laws, contractual obligations, and the expectations and requirements of our customers.

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 documents we used in order to comply with our customer 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 communication, by telephone, electronically, in person 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). When we no longer need personal data, we securely delete or destroy it.

If you have opted out of receiving marketing communications we will hold your details on our “do-not-disturb” list so that we know you do not want to receive these communications.

16 WHAT ARE YOUR RIGHTS

1. Your rights and access to information

You are not obliged to submit the requested personal information to us, however failure to reveal your personal information if we request it, may consequence in being unable to offer you with the products or services we offer. The website may often contain links from and to other websites of either our partners, affiliates or advertisers, if you decided to click and follow the link, please be aware these websites have their own privacy policies, and we are not held accountable for these policies. Please always verify these polices before any personal information is submitted to these sites.

The Data Protection Act provides you the right to access the information we hold about you. You have the right to request assess that information free of charge, we will endeavour to process your request within one calendar month. If your request is complex, we may take longer in which case we will advise you of the extra time required.

2. Your right to rectify

We ask that you promptly notify us of any changes to your personal information that HYCM holds about you. This ensures that your personal information is up to date and enables us to keep you informed of any updates or changes related to your account. If any of the personal information we hold about you is inaccurate or incomplete, you are entitled to have it rectified. Please contact us.

3. Your right to erasure

You can ask us to delete or remove your personal information in certain circumstances such as if we no longer need it or you withdraw your consent (if applicable) provided that we have no legal obligation to retain that data. Such request will be subject to any retention limits we are required to comply with in accordance with applicable laws and regulations and subject to section 'Storage of Your Personal Information and Retention Period'. If we have disclosed your personal information to others, we will let them know about the erasure 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.

4. Your right to object

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).

5. Your right to restrict

You can ask us to 'block' or suppress the processing of your personal data 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 inform about the restriction if possible. If you ask us, if possible and lawful to do so, we will also tell you with whom we have shared your personal information so that you can contact them directly.

6. Your right of data portability

Under the General Data Protection Regulation (679/2016), you have the right to obtain personal information you have with us and to reuse it elsewhere or ask us to transfer this to a third party of your choice. We will endeavour to process your request within one calendar month.

7. Your right related to automated decision making including 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 use the services or has another significant effect on you, you can ask to 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 where a decision is necessary for entering into or performing a contract, you may contest the decision and require human intervention.

17 MAINTAINING OUR PRIVACY POLICY UP TO DATE

Please note we regularly review our privacy policy and any changes made in the future will be posted on this page, and were we deemed appropriate, notify you on the change via email. Changes are effective once they are posted on our website, and if you continue to use our services, you consent that you agree and acknowledge those changes. We recommend to frequently check for any updates or changes to our privacy policy.

18 HOW TO WITHDRAW YOUR CONSENT OR HOW TO OPT-OUT

You can withdraw your consent at any time. Please contact us if you want to do so. If you decide to do so, we may not be able to continue to provide information, services and/or products requested by you and we will have no liability to you in this respect.

19 GET IN TOUCH WITH US AND LOGGING A COMPLAINT

If you wish to contact us with regards to our Privacy Policy or your data, you can email us at dpo@hycm.com or write to us at Henyep Capital Markets (UK) Limited, 28 Throgmorton Street, 3rd Floor, London, EC2N 2AN.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can escalate your complaint to our supervisory authority, the Information Commissioner's Office (the "ICO"). You can find details about how to do this on the ICO's website at <https://ico.org.uk/concerns/> or by calling them on 0303 123 1113.

20 LEGAL DISCLAIMER

The Company may disclose your personally identifiable information as required by rules and regulations and if the Company believes that disclosure is necessary to protect our rights or to comply with other proceedings, court order, legal process served or pursuant to governmental, intergovernmental or other regulatory bodies. The Company is not liable for misuse or loss of personal information or otherwise on the Company's website(s) that the Company does not have access to or control over. The Company will not be liable for unlawful or unauthorised use of your personal information due to misuse or misplacement of your passwords, negligent or malicious intervention or otherwise by you or due to your acts or omissions or a person authorised by you (whether or to that authorization is permitted by the terms of our legal relationship with you).