



## **PRIVACY POLICY**

**MITRADE EU LIMITED**

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## 1. Introduction

- (1) At Mitrade, we are committed to protecting and safeguarding the confidentiality of your personal data. This Privacy Policy (the “**Policy**”) describes what types of personal data we collect, how we collect, use, and manage them, and with whom we may share it. It also provides details about your rights with respect to the processing of your personal data and how you can exercise those rights.
- (2) This Policy applies to the processing of personal data of our clients, prospective clients, visitors of Mitrade’s website and the users of our trading platforms.
- (3) When you access our website, use our trading platforms or any of the communication channels available to contact us, we consider that you have read and understood the terms of this Policy. Once you successfully open an account with us, you agree that this Policy including any amendments, will govern how we collect, store, use and share your personal data and your respective rights.

## 2. Who We Are

- (1) Mitrade EU Limited (“**Mitrade**” or the “**Company**” or “**we**”) is a company incorporated under the laws of Cyprus with registered office at 79 Spyrou Kyprianou Avenue, 1st floor, 3076, Limassol, Cyprus. The Company operates as an investment firm, authorised and regulated by the Cyprus Securities and Exchange Commission (the “**CySEC**”), under the license number 438/23.
- (2) Mitrade acts as the controller in relation to your personal data, which means that we are responsible for deciding why and how we process your personal data, in accordance with the applicable regulations.
- (3) We are required to process your personal data securely and otherwise in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons regarding the processing of personal data and on the free movement of such data (the “**GDPR**”)

## 3. Information We Collect

- (1) We may collect the following information:
  - full name and contact information (e.g. residential address, phone number, email)
  - date of birth, place of birth, gender and nationality;
  - image of your identification documents (e.g. your passport or national identity card) and proof of residence;
  - a photo or video of your face to verify your identity during onboarding and prevent fraud;
  - national identification number and/or passport number;
  - tax information, including your tax residence and tax identification number to comply with our FATCA and CRS obligations;
  - Information about your income and wealth, including details about your source of funds, assets and liabilities, account balances and tax statements;
  - profession and employment details;
  - investment objectives, trading experience and level of education;
  - information about your expected activity, bank accounts, e-wallets and payment card details<sup>1</sup> used in your transactions with us;
  - background checks from public sources or third party databases;

<sup>1</sup> It is noted that we do not store the card details apart from the last four digits along with the expiration date.

- recordings of calls and electronic communication;
- IP address, location data and other IT communication data, such type of device, browser version and operating system;
- data related to the use of our website, platform and applications, such as pages visited, links and button clicked, content viewed and time spent;
- your preferences to certain types of products and services;

(2) We collect this information mainly from you, through the account opening application, demo account registration, website cookies, subscriptions to newsletters, emails, phone calls or additional information provided during the course of our business relationship.

(3) We may also collect this information from other sources, which may include financial institutions such as banks and electronic money institutions, KYC service providers, analytics providers and publicly available sources (e.g. company registers, websites and social media)

#### 4. Legal Basis for Processing

(1) Our legal basis for processing your data will be one of the following:

- **performance of a contract:** the collection and processing of certain data is necessary in order to perform a contract with you and provide you with our services;
- **compliance with legal and regulatory requirements:** as a regulated investment firm we are required to collect and process certain information for anti-money laundering, sanctions and tax purposes; and
- **to pursue our legitimate interests:** we may process your personal data to serve our legitimate interests or those of a third party, provided that such interests do not override the relevant individual's fundamental rights and freedoms. Examples of such processing include defence in litigation procedures, business analysis and development and risk management processes.

(2) Where our use of your personal data does not fall under one of the above lawful basis, we require your consent which in any case shall be freely given.

#### 5. How We Use Your Information

(1) We may process your personal data for the following purposes:

- to consider your account application and apply the required due diligence measures required for anti-money laundering and sanctions purposes;
- to provide our services and process trading transactions, payments and fees;
- to audit and monitor the services provided;
- to perform our contractual obligations against you including any legal notifications;
- respond to any queries you may have or to investigate your complaints;
- to detect or prevent financial crime, including fraud, money laundering, market abuse and sanctions evasion;
- to fulfill our regulatory reporting and any other legal or regulatory obligations;
- defend ourselves against any disputes or litigation;
- to perform data analysis for business development purposes;
- to improve our services and enhance our customer service; and
- to provide you with updates on our services and products, market news and other marketing communications. Note that you may opt out from any marketing communication through our trading platform.

(2) In order to satisfy our legal and regulatory requirements, we use an automated process to assess your

knowledge, experience and personal circumstances and determine whether is appropriate to proceed with your account application.

## 6. Data Sharing

- (1) Where necessary, to conduct our business as described above, we may disclose your personal data to the following:
  - other companies in the same group with Mitrade;
  - service providers, offering regulatory reporting, background screening checks, identity verification, marketing services and analytics, IT or other services;
  - to government authorities, courts, law enforcement authorities, supervisory authorities, tax authorities where required by law or in response to legal and regulatory requests;
  - to payment service providers and banks processing your transactions;
  - to auditors or contractors or other advisers auditing, assisting with or advising on any of our business purposes;
  - to any third-party where such disclosure is required in order to enforce or apply the terms and conditions stipulated in the Client Agreement or other relevant agreements; and
  - anyone authorized by you.
- (2) Unless otherwise required by a regulator, law enforcement or other government authority competent, we shall disclose personal data to third parties on a “need to know” basis. Additionally, we require from each and every third party that may have access to personal data to conform to our privacy standards and more specifically, we require all third parties to respect the security of personal data and information and to treat them in accordance with the applicable regulations and GDPR.
- (3) The personal data we collect from you may be transferred to and stored at a destination outside the European Economic Area (the “EEA”). In such cases, we will ensure that a similar degree of protection is afforded such as standard contractual clauses or other legal mechanisms that safeguard the security and confidentiality of your personal data during such transfers. In any case, we will employ all reasonable measures to guarantee the proper treatment of your data, consistent with the principles outlined in the present Policy.

## 7. Data Security and Retention

- (1) We take reasonable steps and precautions to safeguard your personal data and maintain appropriate technical and organizational measures to ensure that any personal data provided to us are secured and protected from accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data transmitted, stored or otherwise processed.
- (2) We store client information in secure systems/database, which we monitor at all times, and we perform regular backups to mitigate any risk of inadvertent loss of information.
- (3) We have a Data Protection Officer, responsible to ensure that our processes and procedures in regard to personal data are in accordance with this Policy and in compliance with data privacy laws. Moreover, we have appropriate policies and procedures in place for, data encryption, access management, business continuity and disaster recovery plans, IT risk assessment systems, physical and logical access segregation, handling and reporting of data breaches and other cybersecurity incidents and staff training.

- (4) In the event that personal data held by us are subject to a data breach and such an event is likely to cause serious harm, Mitrade shall notify the affected data subject and the Office of the Commissioner for Personal Data Protection without undue delay.
- (5) Mitrade diligently adheres to its legal obligations and retains personal data for as long as necessary to fulfill the particular purpose for which it was collected. For instance, in the event of termination of our contractual relationship, we will retain records of your personal data for five years after such event occurred, which may include, but not limited to, your name, email and trading history. In certain cases, the retention period may be extended if mandated by our supervisory authorities, for compliance purposes.
- (6) Where information is no longer required to be held or retained by us for any purpose or legal obligation, we will take all reasonable steps to destroy or de-identify the information, accordingly.

## 8. Cookies And Tracking Technologies

- (1) Our website and app use cookies and other similar technologies (collectively referred as “Cookies”) to collect data from your device. Cookies are often used to improve your user experience, enable functionalities on the website and the app, facilitate security and provide the business with marketing information about the website’s and app visitors.
- (2) We rely on your consent for using cookies, except from those which are essential for the smooth operation of the site or the app. You can reject cookies at any time by adjusting your browser’s or app settings; however, this may impact your ability to fully explore and utilize the features of our website or app.
- (3) We use the following type of cookies:
  - (a) **Necessary cookies** also known as essential cookies, are used in order to ensure a smooth operation of our website or app and provide core functionalities. Due to the fact that these cookies are necessary, they cannot be turned off on your system;
  - (b) **Statistics cookies** are employed to analyse traffic and improve the navigation and performance of our website or app. They help us to understand which pages are most and least popular and see how visitors navigate the site. All information collected by these cookies is aggregated and processed anonymously.
  - (c) **Preferences cookies** enable us to provide enhanced functionality and personalization by remembering your preferences and choices you made in the past.
  - (d) **Marketing cookies** are used to collect information about the user’s behavior and preferences to deliver adverts that are more relevant to your interests. They are usually employed by third party advertising networks.

## 9. Your Rights

- (1) You have certain rights which are detailed below. Note however, that these rights may not apply in all circumstances:

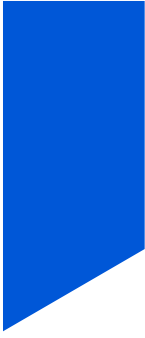
- **Right to access:** you have the right to request a copy of the personal data that we hold about you. This information is provided free of charge, except from cases where a request is manifestly unfounded, excessive or repetitive, or when receive a request to provide further copies of the same data. In such cases, we will send you a fee request which you will have to accept prior to us processing your request. Alternatively, we may refuse to comply with your request in these circumstances.
- **Right to rectification:** you can request us to correct the personal data that we hold about you that may be inaccurate or incomplete;
- **Right of erasure:** you may ask us to delete your personal data, if they are no longer needed for the purposes originally collected, or when you withdraw your consent or object to the processing, or when the processing was unlawful. Note, however, that your right for erasure does not apply when we are required to retain your personal data for legal or regulatory purposes;
- **Right to restrict processing:** you can request us to suspend the processing of your personal data:
  - until we rectify any data that you contest its accuracy;
  - when our use is unlawful but you oppose deletion;
  - if we no longer need your personal data, but you need it to establish, exercise or defence legal claims; or
  - where you have objected to the processing, but we are verifying whether we have overriding legitimate grounds to use it.
- **Right to data portability:** you can request the transfer of the personal data you provided to us, either to you or a third party, if this is technically feasible. We will transfer the data in a structured, commonly used and machine-readable format.
- **Right to object:** you can object to the processing of your personal data, at any time:
  - on ground relating your particular situation, when the processing is based on our legitimate interests. However, we may be able to continue processing your personal data, if we can demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms or when the processing is for the establishment, exercise or defence of legal claims;
  - for direct marketing purposes, including profiling related to direct marketing. Where you have subscribed to our newsletters, market news and other promotional communications, you may opt out through our trading platforms or by contacting us at [dpo.eu@mitrade.com](mailto:dpo.eu@mitrade.com).
- **Right to withdraw:** you can withdraw your consent at any time, where we are relying on consent, to process your personal data. Note that if you withdraw your consent, we may not be able to provide certain products or services to you.
- **Rights relating to automated decision making and profiling:** you have the right not to be subject to a decision based solely on automated processing, including profiling, if such decision has legal consequences for you or otherwise significantly affects you. This right shall not apply when the automated decision making is necessary for entering into, or performance of, a contract between us, or when is authorized by law, or is based on your explicit consent.
- **Right to lodge a complaint:** If you are not satisfied with the way we address your requests or concerns, you may lodge a complaint to the [Commissioner for Personal Data Protection of Cyprus](#), or the data protection authority of your jurisdiction.

## **10. How To Contact Us**

- (1) If you have a query concerning this Policy or you wish to lodge a complaint or exercise any of the abovementioned rights, please send your requests to our Data Protection Officer at [dpo.eu@mitrade.com](mailto:dpo.eu@mitrade.com). We put our best efforts and aim to respond within 1 (one) month. In case your request takes longer than 1 (one) month, we will notify you accordingly and keep you updated.

## **11. Privacy Policy Updates**

- (1) We keep our Privacy Policy under regular review, therefore, this Policy may change at any time in the future. In the event of material changes performed, the revised version will be posted on our website and you acknowledge that it is your responsibility to periodically review and stay informed in regards to any modifications to this Policy.



MITRADE EU LIMITED IS INCORPORATED IN THE REPUBLIC OF CYPRUS, WITH REGISTRATION NUMBER HE 420923 AND REGISTERED ADDRESS AT 79, SPYROU KYPRIANOU AVE., MGO PROTOPAPAS BUILDING, 1ST FLOOR, 3076, LIMASSOL, CYPRUS. MITRADE EU LIMITED IS AN INVESTMENT FIRM, AUTHORISED AND REGULATED BY THE CYPRUS SECURITIES AND EXCHANGE COMMISSION (CIF NO.438/23).

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[www.mitrade.eu](http://www.mitrade.eu)