

Privacy Policy

1. Introduction

Your privacy is very important to us. We are committed to protecting and respecting your personal data, ensuring that when you select us to use our products and services, you know what data we collect about you and how we use and protect that personal data. This Privacy Policy describes what types of personal data we collect about you when you choose to use our products and services, how we will use your personal data and how we will keep it safe. Please take the time to read and understand our Privacy Policy.

2. Who We Are

Trading Dynamics Pty Ltd ATF TD Trust, ACN 575 980 845 ('**Trading Dynamics**', '**we**', '**us**', '**our**') is an Australian based fintech company that develops technology (referred to as products) to trade the financial markets.

These products connect to third party software platforms such as Expert Advisors (EA), Trade Copiers (TC) and Fund Management (FM) trading platforms, which enables the execution of this technology to be presented as general information for traders, individual sophisticated investors and institutions.

The traders, sophisticated and institutional investors ('**customer**', '**you**', or '**your**') refer to an individual or institution that are the subject of the personal or company data that we process as a data controller.

3. Scope Of This Privacy Policy

This Privacy Policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

This Privacy Policy also sets out how you can instruct us if you prefer to limit the use of your personal data and the procedures that we have in place to safeguard your privacy.

By using our Website or our products, registering with us or submitting information to us, you signify that you have read and understood our collection, use and disclosure of your personal data in accordance with this Privacy Policy. If you do not agree with this Privacy Policy, you must not use our Website and our products, access our services or submit information to us.

Data We May Collect (Or Receive) About You

The personal data we collect (or receive) about you may include your:

- a) personal name and address
- b) company name including trusts
- c) trustees, partners, company directors and officers
- d) personal and corporate title
- e) email address
- f) IP address
- g) home, work and mobile numbers
- h) credit card details
- i) bank account details
- j) broker name
- k) server name
- l) username
- m) password
- n) investor password
- o) other information that we consider necessary to our functions and activities

4. How We Collect Your Personal Data

We may collect (or receive) and process your personal data when:

- a) you contact us, whether through our Website, our products and services or otherwise (for example, via our online form, by e-mail, post, fax or phone), as we may keep a record of that correspondence. For example, if you submit a complaint, report a problem with our products and services or our Website or otherwise liaise with our customer service, technical support or any other department in our company. This includes information provided by you when you update or diversify with our products and services such as your name, e-mail, country, password, etc;
- b) we ask you to complete surveys that we use for research purposes, although you do not have to respond to them;
- c) you use and interact with our Website or our products and services including your device's manufacturer and model, IP address, browser type and version, time zone setting, browser plug-in types and versions, operating system, web browser,

platform, mobile carrier, and your ISP. We may collect details of your visits to our Website or our products and services (including, but not limited to, traffic data, location data, weblogs and other communication data).

- d) you use the online trading products we provide to you. Under no circumstances are these details disclosed to any third parties other than those who need to know this information in the context of the services we provide; or
- e) you use social media, including 'like' buttons and similar functions made available by social media platforms.

5. How We May Use Your Personal Data

We may process your personal data for one or more lawful bases of processing ('**Lawful Basis**') depending on the specific purpose for which we are using your data (see below).

We may process your personal data for the purpose of:

- a) dealing with your inquiries and requests, including contacting you where necessary. *Lawful Basis:* your consent or performance of our agreement with you;
- b) notifying you about important changes or developments to our Website, our products or services (e.g. changes of features or enhancements). *Lawful Basis:* performance of our agreement with you or necessary for our legitimate interests;
- c) carrying out our obligations arising from any agreements connected to you. *Lawful Basis:* performance of our agreement with you or necessary for our legitimate interests;
- d) providing and personalising our services, enhancing customer experience and tailoring our services to you. *Lawful Basis:* performance of our agreement with you or necessary for our legitimate interests;
- e) providing you access to all parts or features of our Website, our products or services. *Lawful Basis:* performance of our agreement with you or necessary for our legitimate interests;
- f) where applicable, processing your payments. *Lawful Basis:* performance of our agreement with you or necessary for our legitimate interests or to comply with our legal obligations;
- g) administering your agreement and other customer accounts records. *Lawful Basis:* performance of our agreement with you or necessary for our legitimate interests;
- h) market research, analysis and creating statistics. *Lawful Basis:* your consent, performance of our agreement with you or necessary for our legitimate interests;
- i) sending you marketing communications, for instance, to contact you from time to time regarding things you have told us you want to hear about, such as new products, special offers, competitions and sponsored events. *Lawful Basis:* your consent or necessary for our legitimate interests;
- j) preventing, detecting and investigating potentially prohibited or illegal activities, and enforcing our Terms and Conditions of Service. *Lawful Basis:* to comply with our legal obligations or necessary for our legitimate interests;
- k) improving and developing our Website, our products and services, as well as collecting feedback from you about our Website, our products and services, and other activities. For example:
 - i. we may need to gauge whether a new product, website feature is likely to appeal to a large proportion of our customer base. And if not, we will want to know why; or
 - ii. occasionally we may invite you to review a website. If we do, it is possible that we will use independent research and feedback providers to act on our behalf. *Lawful Basis:* your consent or necessary for our legitimate interests; *Lawful Basis:* performance of our agreement with you or necessary for our legitimate interests;
- l) ensuring that content from our Website is presented in the most effective manner for you and for your computer or mobile device. *Lawful Basis:* performance of our agreement with you or necessary for our legitimate interests;
- m) ensuring we have adequate security measures and services so you can safely access our Website and products. *Lawful Basis:* performance of our agreement with you, to comply with our legal obligations or necessary for our legitimate interests;
- n) complying with all the applicable laws and regulations. *Lawful Basis:* to comply with our legal obligations;
- o) debt recovery or debt tracing, crime, fraud and money laundering compliance. *Lawful Basis:* to comply with our legal obligations or necessary for our legitimate interests;
- p) recruitment purposes if you have applied for a position with us including to contact you to discuss a role with us and to assess your suitability. *Lawful Basis:* your consent, performance of our agreement with you or necessary for our legitimate interests;
- q) monitoring how people use our Website, products and services to see if they are being abused or threatened, for example, by internet trolls posting inappropriate comments in review areas or by would-be hackers looking to undermine our security. *Lawful Basis:* your consent, performance of our agreement with you or necessary for our legitimate interests;
- r) We may check some of the information that you provide to us against third party databases to confirm that it is accurate. *Lawful Basis:* performance of our agreement with you, to comply with our legal obligations or necessary for our legitimate interests.
- s) We may have access to your financial information, such as your billing address, bank account details and payment history in order to allow us to take payments from you in connection with the online trading products you purchase, send you refunds or enable our customer service to deal with your enquiries. Under no circumstances are these details disclosed to any third parties other than those who need to know this information for the performance of the services requested. *Lawful Basis:* performance of our agreement with you, to comply with our legal obligations or necessary for our legitimate interests.
- t) We may also collect social media content where this is in the public domain, and any messages you send direct to us via social media. This information can include posts and comments, pictures and video footage on websites such as YouTube,

Facebook and Twitter. *Lawful Basis*: performance of our agreement with you, to comply with our legal obligations or necessary for our legitimate interests.

6. Your Contact Information

Where applicable, you can change your contact details at any time by sending us an email. You can also update your communication preferences by changing your settings related to your notification choices.

7. Data Security

The Internet is not a secure medium. Please be aware that communications over the Internet, such as emails/web-mails, are not secure unless they have been encrypted. Your communications may route through a number of countries before being delivered. This is the nature of the World Wide Web/Internet.

We cannot accept responsibility for any unauthorised access or loss of personal data that is beyond our control. However, the protection of your personal data is extremely important to us and we have put in place a range of security procedures to protect it, as set out in this Privacy Policy.

We will use reasonable endeavours to implement appropriate policies, rules and technical measures to protect the personal data that we have under our control (having regard to the type and amount of that data) from unauthorised access, improper use or disclosure, unauthorised modification, unlawful destruction or accidental loss.

We will ensure that your information will not be disclosed to government institutions or authorities except if required by law (e.g. when requested by regulatory bodies or law enforcement organisations in accordance with applicable legislation).

Certain services may include social networking, chat room or forum features. When using these features please ensure that you do not submit any personal data that you do not want to be seen, collected or used by other users.

8. To Whom Will Your Data Be Disclosed?

Your personal data may, for the purposes set out in this Privacy Policy, be disclosed for processing to:

- a) our affiliated product and service providers and external product and service providers for whom we act as agent (so that they may provide you with the product or service you seek or in which you have expressed an interest);
- b) any person acting on your behalf, including your financial adviser, solicitor, settlement agent, accountant, executor, administrator, trustee, guardian or attorney;
- c) introducing brokers, affiliates and agents who refer your business to us;
- d) our employees, our Affiliates and their employees;
- e) auditors or contractors or other advisers auditing, assisting with or advising on any of our business purposes;
- f) analytics and search engine providers that assist us in the improvement and optimisation of our Website, our products and services;
- g) our successors in title, our prospective sellers or buyers of our business or to our Affiliates when we have a merger or re-organisation;
- h) government bodies and law enforcement agencies where required by law and in response to other legal and regulatory requests;
- i) any third-party where such disclosure is required in order to enforce or apply our Terms and Conditions of Service or other relevant agreements;
- j) to protect the rights, property, integrity or security of our company, our customers, or others (including, without limitation, you). This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction;
- k) to our advertising providers for re-targeting purposes; and
- l) where you have consented to this, to selected third parties that may contact you about products and services which may be of interest to you in any jurisdiction where we operate. Any social media posts or comments you send to us will be shared under the terms of the relevant social media platform (e.g. Facebook or Twitter) on which they are written and could be made public. Other people, not us, control these platforms. We are not responsible for this kind of sharing. So before you make any such remarks or observations, you should review the terms and conditions and privacy policies of the social media platforms you use. That way, you will understand how they will use your information, what information relating to you they will place in the public domain, and how you can stop them from doing so if you are unhappy about it.

In all circumstances where personal data may become known to our contractors, agents and outsourced service providers, there are confidentiality arrangements in place. Contractors, agents and outsourced service providers are not able to use or disclose personal data for any purposes other than our own.

Our products run on third party software platforms, for example, MT4, MT5 for both Android and Apple Mac platforms including smartphones.

If you use any of our products, your usage of those platforms is also subject to the relevant platform provider's terms and conditions and privacy policy. You should review their terms and conditions and privacy policy to ensure you understand what

information (if any) they will gather about you, how they will use that information, and what you may be able to do if you are unhappy about it.

Before using or disclosing a government related identifier of an individual, we will ensure that such use or disclosure is:

- a) reasonably necessary for us to verify your identity for the purposes of our activities or functions; or
- b) reasonably necessary for us to fulfil our obligations to a government agency or authority; or
- c) required or authorised by or under a Australian law, regulation or a court/tribunal order; or
- d) reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

9. Your Rights In Relation To Your Personal Data

Please note that these rights do not apply in all circumstances. You are entitled to:

- a) request access to your personal data (commonly known as a “data subject access request”);
- b) request correction of the personal data that we hold about you;
- c) request erasure of your personal data. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons, which will be notified to you, if applicable, at the time of your request;
- d) object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information, which override your rights and freedoms;
- e) request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - i. where our use of the data is unlawful but you do not want us to erase it;
 - ii. where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
 - iii. you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it;
- f) request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information (i.e. not to hard copies) which you initially provided consent for us to use or where we used the information to perform a contract with you; and
- g) withdraw consent at any time where we are relying on consent to process your personal data. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

Please quote your name and address. We should be grateful if you would also provide brief details of the data that you would like a copy of or which you would like to be corrected (this helps us to more readily locate your data).

We will require proof of your identity before providing you with details of any personal data we may hold about you.

We try to respond to all legitimate requests within 1 (one) month. Occasionally, it may take us longer than 1 (one) month if your request is particularly complex or you have made a number of requests. In this case, we will notify you within 1 (one) month of the receipt of your request and keep you updated.

We may charge you a reasonable fee when a request is manifestly unfounded, excessive or repetitive, or we receive a request to provide further copies of the same data. Alternatively, we may refuse to comply with your request in these circumstances.

10. Where We Store And Process Your Personal Data

The data that we collect from you is stored in Australia. It may also be processed by staff operating outside Australia who works for us or for one of our suppliers or Affiliate companies. Such staff may be engaged in, among other things, the fulfilment of your request, the processing of your payment details and the provision of support services. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy.

11. Your Consent And Changes to This Privacy Policy

We reserve the right to amend or modify this Privacy Policy and if we do so we will post the changes on our Website. It is your responsibility to check the Privacy Policy every time you submit your personal data to us.

In the event that our purposes for processing personal data change, we will contact you as soon as practicable and seek your consent where such notification relates to a new additional purpose for processing.

12. Use of Your Personal Data Submitted To Other Websites

Except as otherwise expressly included in this Privacy Policy, this document addresses only the use and disclosure of personal data that we receive about you or collect from you.

If you disclose your personal data to others (e.g. websites we link to), different rules may apply to their use or disclosure of the data that you disclose to them. We are not responsible for the privacy policies and practices of other websites even if you accessed the third party website using links from our website.

We recommend that you check the policy of each website you visit and contact the owner or operator of such website if you have concerns or questions.

13. Data Retention

We will only retain your personal data for as long as you have consented to it or when it is necessary for us to provide you with our services or fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, reporting or regulatory requirements.

For instance, by law we have to keep basic information about our customers (including contact, identity, financial and transaction data) typically for seven years after they cease being customers for tax purposes.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

14. Further Information

If you would like to let us know about something we have done, or failed to do in relation to your personal data, whether positive or negative, please let us know. Your comments enable us as an organisation to learn and continuously improve our services.

If you think there is a problem with the way we are handling your data, you have the right to complain to:

Office of the Information Commissioner
The Commissioner
Level 7, 133 Mary Street,
Brisbane, Queensland, Australia 4000
<https://www.oaic.gov.au>

Questions, comments and requests regarding this Privacy Policy should be addressed to:

Chief Executive Officer
Trading Dynamics Pty Ltd ATF TD Trust
The Capital
Level 2, 155 Queen Street
Brisbane, Queensland, Australia 4000

15. Your Duty To Inform Us Of Changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

If your personal details change, please help us to keep your information up to date by notifying us by email at anne@tradingdynamics.com.au.