



**FINIOR CAPITAL LIMITED**  
Privacy Policy

Update: 01/04/2022

# Privacy Policy

Protecting the privacy and safeguarding the personal and financial information of our Clients and Website visitors is one of our highest priorities. The following Privacy Statement explains how Finior Capital Limited collects and protects your personal information.

This policy applies to Finior Capital Limited (“Company”, “we”, “our”, “us”) and extends to and covers all operations and functions of the organization. All third parties (including customers, suppliers, subcontractors or agents) who access or use personal information collected and held by Finior Capital Limited must also comply with this Privacy Policy. Finior Capital Limited provides this policy free of charge on its Website.

This policy outlines Finior Capital Limited’s obligation to manage and protect personal information.

## **In this Privacy Policy:**

“Disclosure of Information” is intended to provide information to persons outside Finior Capital Limited Company;

“Individual” means any person we collect, use or disclose personal information about.

“Personal Information” means information, data or opinions relating to an individual that can be used to identify that individual and/or the actions or inactions the individual has performed or omitted from performing;

“Privacy Officer” means a contact person dealing with issues or complaints related to personal information in Finior Capital Limited;

“Sensitive Information” means personal information, including information about a person’s race or ethnicity, political opinions, religion, union or other professional or industry association membership, sexual preferences and criminal record, and health information;

“Use of Information” means the use of information within Finior Capital Limited or by any of its service partners.

For the purpose of this Privacy Policy, “Data Protection Legislation” means: The Data Protection Regulations 2021 by ADGM.

## **PURPOSE OF THIS PRIVACY POLICY**

We are committed to being open and transparent about how we use personal information. Where our documents or interactions with you require obtaining your personal information, we will generally state the purposes for its use and to whom it may be disclosed.

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## **CONSENT**

By using (collectively, “Using” or “Use”) our Website and/or Electronic Trading Services, by registering with us or by submitting information to us you consent and agree with the terms of this Policy and you hereby give your consent for us to the collect, process, store, use and disclose your personal data whether by the Company or by a third party when it may be required in order to effectively perform Services in connection with the Company’s Terms and Conditions or effectively execute any related operational function performed by the Company to its Clients (e.g. refunding Clients with their funds) in accordance with this Policy and as explained below herein. If you do not agree with this Privacy Policy, you must not use our Website and/or Electronic Trading Services, access our services or submit information to us.

## **COLLECTION OF PERSONAL INFORMATION**

We collect your personal information that is needed to open for you an account, manage your transactions, and protect your assets and your privacy. To this end, we collect information to help us assess your needs and preferences.

When you use our Website and/or Electronic Trading Services, we may further automatically collect and store your personal user information. This will help us to provide a better experience to you in the future when you again use our Website and/or Electronic Trading Services, as well as it will allow us to improve our Website’s:

1. technical information, including the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform.
2. clickstream, from and to our Website (including date and time);
3. products you viewed or searched; page response time, download errors, length of access to a particular page, page interaction information (such as scrolling, clicks, and mouseovers), methods used to navigate the page, and phone numbers to call our customer service; and
4. cookies to distinguish you from other users on our site. For more information about the Cookies we use and the purpose for which we use them, please see our Cookies Policy.

The information we collect directly from you includes the information needed to communicate with you, for example your name, mailing address, phone number, email address, your identity and etc. We also collect demographic information when you open an account, including date of birth, occupation and etc., as well as information about your transactions and IPs. We will also evaluate your trading experience, your approximate annual income and an approximate net worth of your financial position and other relevant information.

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Sometimes we may collect your personal information from third parties. When we are provided with your personal information by third parties, we will take reasonable steps to ensure that you understand the matters set forth in this Privacy Policy so you can agree for us to use your personal information under the circumstances stated and for the reasons disclosed.

## **UNSOLICITED PERSONAL INFORMATION**

Finior Capital Limited does not collect sensitive information unless you agree to that or when other exceptions apply. These exceptions include necessary legal requirements for proper action on suspected illegal activities or serious misconduct.

In the cases stated above if we do not provide the personal information that is requested from us, we may not be able to provide you further with our services or to properly meet your needs.

Finior Capital Limited does not allow conducting anonymous business activities or use of pseudonyms regarding its dealing with entities or individuals. This is because it is impractical for Finior Capital Limited to handle unidentified entities or individuals.

We might be unable to delete your data for legal or regulatory reasons, and we might retain your data for more than 7 years.

If we do this, we will ensure that your privacy is protected and stored accordingly, and it is used only for the purposes mentioned above, and in accordance with applicable data protections rules.

We are required by law to identify you if you are opening a new account or adding a new signatory to an existing account. Anti-Money Laundering and Sanctions (AML) Rulebook of FSRA requires us to sight and record details of certain documents (i.e. photographic and non-photographic documents) in order to meet the standards, set under those laws. Identification documentation, as required under anti-money laundering legislation or other legislation relevant to the services we provide to you, includes:

- passport;
- driver's license;
- national identity card (if applicable);
- utility bills;
- trust deed;
- other information we consider necessary to our functions and activities.

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## **HOW WE COLLECT YOUR PERSONAL DATA**

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

1. You contact us, whether through our Website, Electronic Trading Services or otherwise (for example, via our online form, by email, 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 services or our Websites or Electronic Trading Services 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 a customer account such as your name, e-mail, country, password, etc;
2. We ask you to complete surveys that we use for research purposes, although you do not have to respond to them;
3. You use and interact with our Website or Electronic Trading 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 Electronic Trading Services (including, but not limited to, traffic data, location data, weblogs and other communication data). We do this via email and Website cookies, and similar tracking technology built into our Websites and Electronic Trading Services. We make cookie policies available on each of our Websites and Electronic Trading Services to give you more detailed information on how we use them;
4. You use your customer account to login to and use our platform technology and other features and functionalities;
5. 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
6. You use social media, including "like" buttons and similar functions made available by social media platforms.

## **DUTIES AND RESPONSIBILITIES OF THE DATA CONTROLLER( DC)**

Main duties, responsibilities and powers of the DC:

1. Provide advice and guidance to the organization and its employees on the requirements of the Data Protection (Amendment) Regulations 2021 of ADGM.
2. Monitor the organization's compliance.
3. Be consulted and provide advice during Data Protection Impact Assessments (DPIA).
4. Decide if the DPIA is necessary based on the specific conditions.

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5. Be the point of contact for data subjects and for cooperating and consulting with national supervisory authorities, such as the Office of the Commissioner for Data Protection.
6. Provide training to employees and awareness of how their duties are connected to the protection of rights of data subjects.
7. To hold a register of all categories of processing activities carried out on behalf of the Company.
8. To create and hold a register of all complaints, responses and results.
9. To create, update and improve regularly the procedures and policies relating to the compliance with ADGM and other local data protection principles and laws.
10. To create a procedure of reporting directly to the Commissioner / Authority of Data Protection.
11. To deal and respond to all data subjects' complaints and be the main contact point for ADGM.

DCs should also take responsibility for carrying out data audits and oversee the implementation of compliance tools.

The DPO must be able to act independently, be adequately resourced and be able to report directly to senior management to raise concerns.

Responsible for all changes, deletion and protection of rights. In the event that Clients' personal information changes at any given time, Clients are responsible to inform the Company by emailing the Company's Customer Support at [support@finiorcapital.com](mailto:support@finiorcapital.com).

## **USE OF PERSONAL INFORMATION/DATA**

You agree, that we will only use your personal information when appropriate to provide you with quality services and required by law. For example, we may use the information collected to verify your identity and contact information. We may also use this information to set up your account, issue an account number and a secure password, maintain your account activity, and contact you through your account information. This information helps us improve service, customize your browsing experience and inform you about other products, services or promotions that may be of interest to you. **You can opt out of our email at any time by sending an "unsubscribe" to [info@finiorcapital.com](mailto:info@finiorcapital.com) via email.**

For the sensitive information we hold related to you, Finior Capital Limited shall seek to remove from use such information whenever possible. We will also take reasonable steps to remove personal information that is no longer needed.

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## **OUR AFFILIATES AND PARTNERS**

We may share your personal information with our affiliates if we need to provide further information about the products or services you request, or to use products or services offered by our affiliates. We may also have partnerships with other companies to provide joint marketing of high-quality products and services that may be of value to our customers. To ensure that these products and services meet your needs and are provided in a useful and relevant manner, we may share some of your information with our partners, affiliates and alliances. This allows them to better understand the most relevant and useful service that they need to provide. The use of your personal information is limited to the purposes defined in our relationship with our partners or affiliates.

## **RETENTION OF PERSONAL DATA**

In accordance to the Company's regulatory requirements and as required by Law all Clients' personal information/data will be required to be kept and retained on record for a minimum period of seven (7) years, which will commence on the transmission/execution of the last Client's transaction or the date of which the business relationship between both parties is terminated in accordance to the Company's Trading Terms and Conditions.

## **THIRD PARTY**

1. We will not sell, license, lease or otherwise disclose your personal information to any third party for any reason other than the ones already stated above in the Privacy Policy. We also reserve the right to disclose your personal information to regulatory agencies, law enforcement agencies or other government agencies as required by law, or to protect our rights or property when necessary.
2. To help us improve our services, we may hire other companies to help us perform certain internal functions such as account processing, order fulfillment, customer service, customer satisfaction surveys, other support services or data collection activities related to our business and they may have access to your personal information. However, the ownership of data shall remain with Finior Capital Limited.

## **WARRANTIES**

For any purpose mentioned above (Affiliates and Partners and Third party), the use of the shared personal information is strictly limited to the performance of the services expected and assigned to be undertaken by all third parties, affiliated or non-affiliated with the Company.

All third parties affiliated or non-affiliated are required and shall ensure that:

1. Their employees are informed of the confidential nature of the personal info-

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information/data and that usage of the shared information is strictly limited to the performance of the relevant services expected and assigned to be undertaken on behalf of the Company

2. Processing of personal information/data is in accordance and in compliance with all relevant legislation, applicable laws and regulation
3. All third parties, affiliated or non-affiliated agree and consent to indemnify and keep indemnified at their own cost and expense the Company against all costs, claims, damages or expenses incurred by the Company or for which the Company may become liable due to any failure by any third party, affiliated or non-affiliated or their employees to comply with any of their obligations under this Policy as well as with all relevant legislation, applicable laws and regulation.
4. The Company will not share personal information with third parties which it considers will not provide its Clients with the required level of protection similar to that of its own and in compliance with all relevant legislation, applicable laws and regulation.

## **SECURITY**

If you are given a password that gives you access to certain parts of our Website or Electronic Trading Services, you are responsible for keeping this password confidential. We ask that you do not share your password with anyone.

Transferring information over the Internet is not completely secure, although we will do our utmost to protect your personal data, but we cannot guarantee the security of the data you transmit to our Website; Electronic Trading Services; email servers; apps any data transmission is at your own risk. After we receive your information, strict procedures and security features will be used to prevent unauthorized access.

## **CHANGES IN PERSONAL INFORMATION/DATA**

Under the Agreement between us, we have the right to disclose your Information (including recordings and documents of a confidential nature, card details) in certain circumstances.

According to the Agreement between us, your Information may be disclosed:

1. To protect the Company's rights and/or to comply with judicial proceedings and/or court order;
2. To protect and defend the rights or property of the Company's Website and Electronic Trading Services;
3. To protect the safety of Company's Clients, all users of the Company's Website and/or the public.



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4. Where required by law or a court order by a competent Court;
5. Where requested by the Abu Dhabi Global Market or any other regulatory authority having control or jurisdiction over the Company or the Client or their associates or in whose territory the Company has Clients;
6. To relevant authorities to investigate or prevent fraud, money laundering or other illegal activity
7. To credit reference and fraud prevention agencies, third authentication service providers, banks and other financial institutions for credit checking, fraud prevention, anti-money laundering purposes, identification or due diligence checks of the Client. To do so they may check the details the Client supplied against any particulars on any database (public or otherwise) to which they have access. They may also use Client details in the future to assist other companies for verification purposes. A record of the search will be retained by the Company;
8. Where necessary in order for the Company to defend or exercise its legal rights to any court or tribunal or arbitrator or ADGM Court or governmental authority;
9. At the Client's request or with the Client's consent;
10. To successors or assignees or transferees or buyers, with ten Business Days prior Written Notice to the Client.

## **YOUR RIGHTS IN RELATION TO YOUR PERSONAL DATA**

The Company may, from time to time, combine Clients' personal information/data with information from other users of the Company's Website and/or Electronic Trading Services in order to create impersonalized statistical data. The Company may provide this statistical data to Third Parties solely for statistical purposes and in an effort to better improve the Company's marketing campaign and to the extent allowed by the Company's Trading Terms and Conditions already accepted by the Clients.

The Personal Information/Data Subject has the right if applicable to:

- Withdraw consent;
- Access, rectify, and erase Personal Data;
- Object to the Processing of Personal Data;
- Restrict the Processing;
- Data portability; and
- Non-discrimination.

The Company will take all reasonable measures in order to ensure that in no circumstance's Clients will be identifiable from this statistical data and consequently for Clients to remain anonymous.

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## **MARKETING**

We may use your data to provide you with information about our goods and services that may be of interest to you, and we or our agents may contact you by email or phone.

For sensitive information, if an individual has agreed to use or disclose for this purpose, Finior Capital Limited may only use the information for direct marketing purposes.

You can opt out of our email marketing services at any time by sending an “unsubscribe” to [info@finiorcapital.com](mailto:info@finiorcapital.com) via email.

You can also ask Finior Capital Limited to provide you with a source of information. If such a request is made, Finior Capital Limited will notify you of the source of the information for free within a reasonable period of time.

## **LINKS TO OTHER WEBSITES**

The Company’s Website and Electronic Trading Services may be linked to other Websites. This Policy is not applicable to those other sites. The Company recommends and encourages Clients to read, understand and familiarize themselves with the privacy policies (if any) available on these other sites.

The Company cannot be held responsible or liable for the privacy policies or content of such sites and therefore, has no control over the protection and use of information provided by the Clients on such sites.

The Company’s Website and Electronic Trading Services may contain hyperlinks to Websites owned and operated by third parties. Where this is the case, we urge you to review the equivalent data protection, privacy and cookie policies available on such Websites. We do not accept any responsibility or liability for the data protection of privacy practices of third parties in relation to such Websites and your use of third-party Websites is entirely at your own risk.

## **USE OF “COOKIES”**

The Company may use cookies to assess and improve the performance of the Website and its products and services offered to its Clients. Cookies are used by most internet browsers and are small pieces of information which use a unique identification tag and are stored on Clients’ device as a result of Clients using the Company’s Website or other services the Company provides to its Clients.

Clients may be able to refuse to have cookies stored on their device they may be able to change the setting of their browser to refuse all cookies, and/or have their device to notify them each time a cookie is sent to their device. By controlling their cookies in this way may impair the quality of service provided by the Company to

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its Clients and therefore, it is recommended for Clients to allow cookies on their device to ensure the best possible experience and quality services provided by the Company.

You can control how cookies are placed on your device from within your own browser. You can also delete existing cookies from your browser. However, refusing and/or deleting cookies may mean some sections of our site will not work properly.

## **CONTACT CLIENTS/RECORDINGS**

The Company may contact Clients by telephone, email or other means of medium for the purpose of offering them further information about the Company's product and services and/or informing Clients of unique promotional offerings. By registering and providing agreement to the Trading Terms and Conditions of the Company, Clients consent to be contacted in such manner and for such purposes by the Company's Employees, Affiliates and Partners.

For regulatory and quality assurance purposes any type of communication between the Clients and the Company whether in writing, email or by telephone or other means of medium shall be monitored and recorded by the Company without any prior warning (unless required to do so by the applicable rules and regulations). Clients acknowledge and accept that such recordings are the sole property of the Company. Clients further accept that such recordings constitute conclusive evidence of the Orders/Instructions/Requests or conversations so recorded.

## **CHANGES TO THIS PRIVACY POLICY**

We may update this Privacy Policy from time to time. If we change this Privacy Policy, the revised Privacy Policy will be posted to the Site immediately and we will post a notice on our site to notify you of such changes.

## **INCIDENTS/COMPLAINTS HANDLING**

Any dispute regarding our Privacy Policy is subject to this notice and our Terms and Conditions. We encourage you to review this policy on a regular basis so that you always understand the changes to the latest policies. If you have any questions about any issues not addressed by this statement, please contact a customer service representative for further explanation.

Finior Capital Limited has an effective complaint handling process to manage privacy risks and issues.

If you have any questions about our privacy practices, or if you wish to file a complaint regarding how we handle your personal information, you can file a complaint with us in any of the following ways:

**Email to: [support@finiorcapital.com](mailto:support@finiorcapital.com)**