

PRIVACY NOTICE IN ACCORDANCE WITH THE DIFC DATA PROTECTION LAW No. 5 OF 2020

What is the purpose of this document?

XTB MENA Limited ("XTB MENA" or "We" or "Our") including XTB SA, is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the DIFC Data Protection Law No. 5 of 2020 (DIFC Law).

XTB MENA is a "controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to:

- Our past, present and prospective customers;
- Anyone involved in any transaction or interaction with us, whether it is in your personal capacity or as a representative of a legal entity (for example, director, a company manager, agent, legal representative, operational staff, other authorized representative, etc.); and
- prospective employees, workers and contractors.

This notice does not form part of any contract. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical via the website.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions so that you are aware of how and why we are using your personal information and what your rights are under the data protection legislation.

This Policy was last updated in April 2023.

Data protection principles

We will comply with DIFC Data Protection Law No. 5 of 2020 (DIFC Law). This says that the personal information we hold about you must be:

- Used in accordance with the DIFC Law and in accordance with your rights pursuant to the DIFC Law.
- Used lawfully, fairly and in a transparent manner.
- Collected or used only for legitimate purposes that we have explicitly and specifically explained to you at the time of collection and not collected or used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and, where necessary, kept up to date including via erasure or rectification.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

The kind of information we hold about you

We collect, use, disclose, transfer and store personal data when needed to provide our services and for our operational and business purposes as described in this Policy. We want to be clear about our privacy practices so

you can make informed choices about the use of your personal data. You can contact us at any time with questions or concerns.

We use your personal data to provide you with the services you request through the Website and Platform in order to perform our contractual obligations in relation to those services (including to process your trades), to keep in touch with you, to provide you with information about the products you trade and manage your account. We may also, in accordance with our legitimate interests, use your personal information to market our products and services to people like you. We will notify you separately if we process your personal data for any other purpose and, if required, ask for your consent.

We will primarily collect personal data like your first and last name, email address, details about your financial status, your residential address, phone number, date of birth, a copy of your photo-ID, such as passport, driving licence, or national ID, a copy of a recent utility bill/bank statement (or similar) as evidence of your residential address and credit card or bank card details.

The type of personal information we may collect from our clients and Prospective clients (but is not limited):

Technical information including the type of mobile device you use; details of your use of our XTB MENA website or Trading App including, but not limited to traffic data; Financial information such as income, savings, assets and liabilities, account balances, bank account details; payroll records; main source of your wealth; source of your dealing funds; Trading statements and financial statements; Employment details and professional information; FATCA, CRS and other tax status related information; FATCA, CRS and other tax status related information; Results of background checks; Credit reporting information

We also keep records of trading behaviour, including a record of:

- products traded with us and their performance;
- historical data about the trades and investments made by you;
- and your preference for certain types of products and services.

The type of personal information we may collect from our prospective employees can include (but is not limited to):

Education certificate photocopy; Recruitment information; information included in a CV or cover letter; Employment records; Compensation history; Performance information; Salary, benefits, and bonuses; Information about criminal convictions and offences

The type of personal information we may collect from our contractors or suppliers can include (but is not limited to):

Company details such as Trade license, Tax Number TRN, Contact details; Company Address; KYC Checks; Start date, Ending date of the contract; Non disclosure agreement; Scope of Use and or Use; Quotations; Previous Accomplished projects; Security of information and performance; CCTV footage; Results of tax information; Other information obtained through electronic means such as swipe card records

We may also collect, store and use the following more sensitive types of personal data:

- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences.

The XTB MENA website or Trading App are not targeted, intended or expected to be of use to children. Apart from providing information for specific services or purposes, as directed by DIFC processes, User-provided contributions of content or contact information regarding or about children are expressly prohibited.

How we will use your personal information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest (or for official purposes).

We need all the categories of information listed in this privacy notice primarily to allow us to perform our contract with you, to enable us to exercise and perform our functions and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests, provided your interests and fundamental rights do not override those interests such that we are able to comply with our legal obligations, including in relation to client verification, anti-money laundering and other obligations we are subject to, such as (but not limited to):

- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- Notify you about changes to our Trading App and XTB MENA Website;
- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UAE and DIFC.
- To provide, maintain and improve our working relationship for example, to facilitate payment, verify your details, and send administrative messages, whether information or required by applicable law.

If you fail to provide personal information

If you choose not to provide the information we need as a business, we may not be able to provide you with the requested product or service (such as paying you) or exercise our powers (such as performance of tasks carried out by us in the DIFC).

Change of purpose

We will only use your personal information for the purposes for which we collected it unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you, and explain the legal basis that allows us to do so.

Please note that we may process your personal information in compliance with the above rules, where this is required or permitted by law.

How we use sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We have justification for collecting, storing, and using this type of personal information. We have in place an appropriate policy document and safeguards in compliance with the law. We are likely process special categories of personal information in the following circumstances where:

- In limited circumstances, we have your explicit written consent.
- It is necessary to comply with the law applicable to us in relation to anti-money laundering or counter-terrorist financing obligations or the prevention, detection, or prosecution of any crime.

- It is necessary for the compliance with specific requirements pursuant to laws applicable to us. In such circumstances, we will provide you with clear notice unless the obligation in question prohibits such notice being given.

Less commonly, we may process this type of information where it is needed in relation to legal claims, where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, where you have already made the information public, where it is required for the purposes of preventative or occupational medicine (such as the assessment of the working capacity of an employee or medical diagnosis).

For marketing purposes, we would not obtain sensitive information, however, if we do, we will issue a separate notice on how we would use the data.

Information about criminal convictions

We envisage that we may hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. For example: to determine whether you are suitable to be our employee or client.

We are allowed to use your personal information in this way to carry out our obligations of being regulated by a financial regulator such as the Dubai Financial Services Authority, Polish regulator and under government legislation.

Do we need your consent?

We do not rely on consent as our processing reason and also would not require consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data.

If we do so, we will provide you with full details of the information that we would like and the reason we need it so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your relationship with us that you agree to any request for consent from us.

Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data sharing

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so, for example, in the performance of our powers and functions in the DIFC.

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision and administration, IT services.

We will share personal data relating to your participation in any share plans operated by a group company with third party administrators, nominees, registrars and trustees for the purposes of administering the share plans.

We will share personal data regarding your participation in any pension arrangement operated by a group company with the trustees or scheme managers of the arrangement in connection with the administration of the arrangements.

We share your data as below:

- courts, tribunals and regulatory authorities
- anyone authorized by you as instructed by you

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

We may also need to share your personal information with a regulator or to otherwise comply with the law.

We will only share data with our employees, agents, contractors and other third parties provided there is a valid mechanism in place and that your personal data is kept in a lawful manner as per the DIFC law.

Data Security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

They will only process your personal information on our instructions and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will we use your information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. 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.

Your rights in connection with personal information

XTB MENA supports your legal rights to opt-out of receiving communications from us and our partners. You have the right to ask us not to process your Personal Data for marketing purposes and to remove it from our database or to not receive future communications.

These preferences can be changed any time.

XTB MENA may share any transactional or service-related emails despite your desire to opt-out of marketing and promotional communication.

Additionally, as per your request we will remove your personal contact details from our database, however, you may continue to receive promotional emails from our other websites, providers, or other non-affiliated marketers whose services you may have accessed via XTB MENA website. You can request them directly to remove your data from their system.

Under certain circumstances, and where the conditions specified in the DIFC Data Protection Law No. 5 of 2020 (DIFC Law) are met, by law, you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us to continue to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal data. You have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example, if you want us to establish its accuracy or the reason for processing it.
- **Data portability** enables you to receive or request transfer of the data you have provided us in a structured, commonly used and machine-readable format.
- **Object to automated processing, including profiling** which produces legal or other seriously impactful consequences concerning you.

What we may need from you to process your request

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances and were permitted by law.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific

processing at any time. To withdraw your consent, please contact the Data Protection Officer using the email provided below. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Cookie Policy

Cookie ("Cookie") is a small text file, unique to the web browser on your computer or mobile device, which is used to retain user preferences, and enhance browsing experience. XTB MENA uses cookies to track overall site usage which enables us to provide you with better user experience.

XTB MENA uses the following main types of cookies:

- essential cookies - this type of cookie is essential to the functioning of the website and cannot be disabled on our systems. Essential cookies are typically used in response to the actions you take, such as setting privacy options, logging in or filling out forms. You can change your browser settings to block them, but our website will not function properly then,
- analytical cookies - these types of cookies allow us to measure the number of visits and collect information about the source of traffic so that we can improve the performance of our website. They also help us to know which pages are most popular or how visitors navigate them. If you block this type of cookie we will not be able to collect information about the use of the website and will not be able to monitor website performance,
- functional cookies - these cookies help us to improve the effectiveness of our marketing and to tailor it to your needs and preferences, for example by remembering any choices you make on pages.
- advertising cookies - we may use advertisements that appear on other websites to promote certain services, articles or events. This type of cookie is used to make advertising messages more relevant and tailored to your preferences.
- persistent cookies - stored on your user's equipment for the time specified in the parameters of cookies or until they are deleted,
- session cookies - stored on your user's equipment until you log out or close your browser window.

Below you will find guidelines on how to control cookies in popular browsers.

Google Chrome, MacOS Safari, Mozilla Firefox, Microsoft Edge

Please be advised that restrictions on the use of cookies may affect the operation of certain features available on our website.

You can find more information on cookies at www.wszystkoociasteczkach.pl , www.aboutcookies.org.

This policy covers the use of cookies solely on our website and does not apply to the use of cookies by any third party.

Mobile application Privacy

The mobile device stores an encrypted unique Application Identifier (a parameter created during the Application registration process on XTB MENA'S side) - stored on the device until the mobile application is removed from the device.

The Application Identifier referred to above and information about the make, model and hardware identifier of the mobile device are sent to XTB MENA during the process of registering the device with the Application and are used to explicitly identify the Application and the mobile device.

Communication between the mobile Application and XTB MENA systems is carried out using modern encryption mechanisms.

Depending on the mobile platform, XTB MENA Application may gain access to the following rights on the mobile device:

- Access to the Internet, including your IP address, receiving data from the Internet, in order to carry out transactions;
- Access to a camera and microphone to confirm your identity (video verification service) during real account registration;
- Access to multimedia and internal memory to upload a photo of your documents during real account registration, and to save photos or screenshots
- the use of mobile advertising identifiers (Google Advertising ID and Apple IDFA) to track the effectiveness of our advertising campaigns and the installation of our app,
- Access to biometric features (fingerprint reader, Face ID, Touch ID) for secure login to applications,
- Reading status and device information for notifications and communication with the server,
- Access to network connection and Wi-Fi information for checking Internet access,
- Vibration functions to communicate an event or action in the user interface (User Experience).
- Keep "screen on" function to prevent the phone from going to sleep.
- Installation sources for analytical and marketing purposes.

The mobile application stores a login and a phone number, which may constitute personal data as long as the login includes the user's name and surname. This data will be used to provide our services. Anonymous data concerning user activity in mobile applications may be processed by XTB MENA for statistical purposes.

Additionally, XTB MENA informs that the applications have connected tools provided by:

- Google Firebase, Onfido, Intercom, Lokalise and AppsFlyer.

If you do not agree to this Privacy Policy, please do not install the application or uninstall it.

The mobile app privacy policy contained in this section of the Privacy Policy also applies to the other provisions of the Privacy Policy contained in other sections, unless the app policy explicitly states otherwise.

To inform us of changes

It is important that the personal information we hold about you is accurate and, where necessary, kept up to date. Please keep us informed if your personal information changes during your working relationship with us and respond promptly to our request for updates of your data.

Data Protection Officer

We have appointed a DPO to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. You have the right to make a complaint at any time to the relevant authority that safeguards your interests. If in doubt who that is, please consult the DPO.

DPO Contact Details:

Sethulekshmi Premkumar
dp@xtb.ae
+971 4 376 8200

DIFC Data Protection Commissioner Contact Details:

Dubai International Financial Centre Authority
Level 14, The Gate Building
+971 4 362 2222
commissioner@dp.difc.ae

Changes to this privacy notice

We reserve the right to update this privacy notice at any time. We will publish the most updated privacy notice on our website. You can find this on <https://www.xtb.com/ae-en>. We may also notify you in other ways from time to time about the processing of your personal information where we process your data outside of the published privacy notice.

If you have any questions about this privacy notice, please contact the Data Protection Officer.