

As part of our day-to-day business we need to collect personal data from (i) our members and potential members, (ii) the customers and potential customers of our members and (iii) visitors to our website to ensure that we can meet their needs for a range of financial services and to provide them with information about our services.

Your privacy is important to us and it is our policy to respect the confidentiality of information and the privacy of individuals. This notice outlines how we manage your personal data supplied to us by you or a third party in connection with our provision of services or which we collect from your use of our services and/or our app(s) or website(s). It also details your rights with respect to our processing of your personal data.

Our privacy notice will be reviewed from time to time to take into account new obligations and technology, changes to our operations and practices and to make sure it remains appropriate to the changing environment. Any personal data we hold will be governed by our most current privacy notice.

Please note that if you are a Spectrum employee, a Spectrum contractor or a third-party service provider, your personal data will be used in connection with your employment contract, your contractual relationship or under separate policies that we provide to you independently of this document.

Any reference to 'you', 'your', 'yours' or 'yourself' in this privacy notice is a reference to any of (i) our members and potential members, (ii) the customers and potential customers of our members and (iii) visitors to our website as the context requires unless otherwise stated.

WHO ARE WE?

This privacy notice applies to the processing of personal data by Spectrum MTF Operator GmbH, Westhafentower, Westhafenplatz 1, 60327 Frankfurt, Germany, in connection with the provision of our financial services and the Spectrum website (the "Website"), including any personal data you may provide through the use of the Website.

This privacy notice also applies to the processing of personal data by affiliated companies of Spectrum MTF Operator GmbH who provide financial and other back office services and to the processing activities of this group of companies generally.

Any reference to 'us', 'our' or 'we' in this privacy notice is a reference to Spectrum MTF Operator GmbH and/or the relevant group company as the context requires unless otherwise stated.

WHAT KIND OF PERSONAL INFORMATION DO WE PROCESS?

PROCESSING OF PERSONAL DATA IN CONNECTION WITH PROVISION OF FINANCIAL SERVICES

If you obtain our financial services, we may collect and process the following types of personal data:

- name, address, email address and contact details;
- profession and employment details;
- data on business initiation and ongoing business relationship (including date, time, communication channel, copy of correspondence, records of communication);
- other similar information in connection with the provision of our financial services; and
- marketing and communications data such as your marketing and communication preferences.

We may also collect this information through the use of our services or in the course of other business transactions. These include, but are not limited to, membership applications, news subscriptions and information provided in the course of ongoing member service correspondence. We may also collect such information from third parties, such as your employer or from publicly available sources (such as trade and association registers, the press, the Internet).

We rarely process special categories of data in relation to our members but there may be occasions where we need to do so (e.g. verification of identity checks including verification of nationality). Where we do process such special categories of data, the basis for processing such information is because it is in our legitimate interests to ensure that we are aware of the identity of our members and also either that it is required by law and the processing is therefore necessary for reasons of substantial public interest or where necessary for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings), for the purpose of obtaining legal advice or for the purpose of establishing, exercising or defending legal rights.

We may ask for other personal information voluntarily from time to time (for example, through market research, surveys or special offers). 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.

Further, if you visit any of our offices or premises, we may have CCTV which will record your image.

Recording of telephone conversations

We may record the communication that takes place between you and us in relation to the provision of services. 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.

In addition, we record telephone conversations with you for verification and quality assurance purposes, provided you have given us your consent.

PROCESSING OF PERSONAL DATA IN CONNECTION WITH THE USE OF THE WEBSITE

If you use our Website, we may collect and process the following types of personal data:

- marketing and communications data such as your marketing and communication preferences;
- technical data such as information collected when you access our Website, your internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you are using; and
- usage data, i.e. information about how you use our Website.

We may also obtain personal data through the use of our Website. This is achieved by using cookies on our Website, which in particular record which pages are viewed on our Website.

We may ask for other personal information voluntarily from time to time (for example, through market research, surveys or special offers). 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.

Further, if you visit any of our offices or premises, we may have CCTV which will record your image.

USE OF COOKIES/TECHNOLOGY IMPROVEMENTS/THIRD PARTY WEBSITES

• WHAT IS A COOKIE AND HOW DO WE USE COOKIES?

A cookie is a small piece of text stored on your computer or device when you visit a website or an app.

We use cookies on our Website to provide you with a more relevant and effective experience, including presenting web pages according to your needs or preferences. For further information about cookies and how we use cookies, please refer to our Website.

• TECHNOLOGY IMPROVEMENTS

We are constantly striving to improve the functionality of our Website through technology changes. This may mean a change to the way in which personal data is collected or used. The impact of any technology changes which may affect your privacy will be notified in this privacy notice at the time of the change.

USE OF COOKIES/TECHNOLOGY IMPROVEMENTS/ THIRD PARTY WEBSITES (CONTINUED)

• LINKS TO THIRD PARTY WEBSITES

Our Website may have links to external third party websites. Please note, however, that third party websites are not covered by this privacy notice and those sites are not subject to our privacy standards and procedures. Please check with each third party as to their privacy practices and procedures.

FOR WHAT PURPOSES AND ON WHICH LEGAL BASIS DO WE PROCESS YOUR PERSONAL DATA?

PROCESSING PURPOSES IN CONNECTION WITH PROVISION OF FINANCIAL SERVICES

If you obtain our financial services, we may use personal data for the following purposes:

• TO MANAGE MEMBERSHIP

We need to process personal data in order to effectively manage membership (e.g. to communicate with our members) to ensure that members are getting the best possible service from us. We have a legitimate interest in this (Art. 6(1)(f) GDPR).

• TO HELP US IMPROVE OUR PRODUCTS AND SERVICES, INCLUDING MEMBER 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 member surveys to help us improve our products and services. It is in our legitimate interests for us to use your personal information in this way to ensure that we provide you with the best products and services we can (Art. 6(1)(f) GDPR).

• TO INVESTIGATE OR SETTLE ENQUIRIES OR DISPUTES

We may need to use personal data collected from you to investigate issues and/or settle disputes with you as it is in our legitimate interests to ensure that issues and/or disputes get investigated and resolved as quickly and efficiently as possible (Art. 6(1)(f) GDPR).

• TO COMPLY WITH APPLICABLE LAW, COURT ORDER, OTHER JUDICIAL PROCESS, OR THE REQUIREMENTS OF ANY APPLICABLE REGULATORY AUTHORITIES

We may need to use your personal data to comply with applicable laws, 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 (Art. 6(1)(c) GDPR), but also because this may be in our legitimate interest (Art. 6(1)(f) GDPR).

• TO SEND YOU SURVEYS

From time to time, we may send you surveys as part of our member feedback process. It is in our legitimate interest to ask for feedback to ensure that we provide the best service to you (Art. 6(1)(f) GDPR). However, we may from time to time also ask you to participate in other surveys. If you agree to participate in such surveys, we rely on your consent to use the personal data we collect as part of such survey (Art. 6(1)(a) GDPR). All responses to any survey we send out whether for member feedback or otherwise will be aggregated and anonymised before survey results are shared with any third parties.

• DATA ANALYSIS

Our e-mails may contain web beacons or pixel tags or any other similar type of data analysis tools which allow us to track receipt of correspondence and to count the number of users that have opened our correspondence. Where your personal data is completely anonymised, we do not require a legal basis as the information will no longer constitute personal data. However, where your personal data is not in an anonymised form, it is in our legitimate interest to continually evaluate that personal data to ensure that the products and services we provide are relevant to the market (Art. 6(1)(f) GDPR).

• MARKETING BY US

We may use your personal data to send you marketing communications by email or phone or other forms (including social media campaigns) to ensure that you are always kept up to date with our latest products and services. When we send you marketing communications, we do so either because we have a legitimate interest in them (Art. 6(1)(f) GDPR) or with your consent (Art. 6(1)(a) GDPR).

• INTERNAL BUSINESS PURPOSES AND RECORD KEEPING

We may need to process your personal data for internal business and research purposes and record keeping purposes. Such processing is in our own legitimate interest (Art. 6(1)(f) GDPR) and is required in order to comply with our legal obligations (Art. 6(1)(c) GDPR). This may include any communications that we have with you in relation to the services we provide and our relationship with you.

• CORPORATE RESTRUCTURING

If we undergo a corporate restructuring or part or all of our business is acquired by a third party, we may need to process your personal data in connection with that restructuring or acquisition. Such processing may involve disclosing your details as part of a due diligence exercise. We have a legitimate interest to process your information in this way (Art. 6(1)(f) GDPR).

• SECURITY

If you enter any of our premises we may record your image on our CCTV for security reasons. We take your pictures to document who entered our premises on a particular day. It is in our legitimate interest (Art. 6(1)(f) GDPR) to do this to maintain a safe and secure working environment.

PROCESSING PURPOSES IN CONNECTION WITH THE USE OF THE WEBSITE

If you use our Website, we may use personal data for the following purposes:

• DATA ANALYSIS

Our Website and e-mails may contain web beacons or pixel tags or any other similar type of data analysis tools which allow us to track receipt of correspondence and to count the number of users that have visited our Website or opened our correspondence. Where your personal data is completely anonymised, we do not require a legal basis as the information will no longer constitute personal data. However, where your personal data is not in an anonymised form, it is in our legitimate interest to continually evaluate that personal data to ensure that the products and services we provide are relevant to the market (Art. 6(1)(f) GDPR).

• 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 our Website to help us improve our products and services. It is in our legitimate interests for us to use your personal information in this way to ensure that we provide you with the best products and services we can and to continue to be a market leader in our industry (Art. 6(1)(f) GDPR).

• TO INVESTIGATE OR SETTLE ENQUIRIES OR DISPUTES

We may need to use personal data collected from you to investigate issues and/or settle disputes with you as it is in our legitimate interests to ensure that issues and/or disputes get investigated and resolved as quickly and efficiently as possible (Art. 6(1)(f) GDPR).

• TO COMPLY WITH APPLICABLE LAW, COURT ORDER, OTHER JUDICIAL PROCESS, OR THE REQUIREMENTS OF ANY APPLICABLE REGULATORY AUTHORITIES

We may need to use your personal data to comply with applicable laws, 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 (Art. 6(1)(c) GDPR), but also because this may be in our legitimate interest (Art. 6(1)(f) GDPR).

• MARKETING BY US

We may use your personal data to send you marketing communications by email or phone or other forms (including social media campaigns) to ensure that you are always kept up to date with our latest products and services. When we send you marketing communications, we do so either because we have a legitimate interest in them (Art. 6(1)(f) GDPR) or with your consent (Art. 6(1)(a) GDPR).

• SECURITY

If you enter any of our premises we may record your image on our CCTV for security reasons. We take your pictures to document who entered our premises on a particular day. It is in our legitimate interest (Art. 6(1)(f) GDPR) to do this to maintain a safe and secure working environment.

WHO MAY WE DISCLOSE PERSONAL DATA TO?

In the course of processing your personal data for the purposes stated in the section "For what purposes and on which legal basis do we process your personal data?", we may pass on your personal data to the following recipients:

- affiliated companies of Spectrum MTF Operator GmbH who provide financial and other back office services;
- service providers and specialist advisers who have been contracted to provide us with administrative, IT, financial, regulatory, compliance, insurance, research or other services;
- credit providers, courts, tribunals and applicable regulatory authorities as agreed or authorised by law or our customer agreement; and
- anyone authorised by you.

Generally, we require organisations that are not affiliated with Spectrum MTF Operator GmbH and process personal data to respect the confidentiality of that information, to undertake to respect the privacy of individuals, and to comply with all applicable data protection laws and this privacy notice.

With regard to transfers of personal data to companies outside of the EU or the European Economic Area, refer to the section below entitled 'Transfers outside of the European Economic Area'.

Third party service providers such as credit referencing agencies may keep a record of any searches performed on our behalf and may use the search details to assist other companies in performing their searches.

Please note that the use of your personal data by external third parties who act as data controllers for the processing of your personal data is not covered by this privacy notice and is not subject to our privacy standards and procedures.

PROTECTION OF PERSONAL DATA

We always take appropriate technical and organisational measures to ensure that your information is secure. In particular, we train our employees who handle personal data to respect the confidentiality of member information and the privacy of individuals. We regard breaches of your privacy very seriously and will impose appropriate penalties, including dismissal where necessary.

We have appointed a Data Protection Officer to ensure that our management of personal data is in accordance with this privacy notice and the applicable legislation.

You can reach our data protection officer as follows:
dataprotection@spectrum-markets.com.

HOW DO WE STORE PERSONAL DATA AND FOR HOW LONG?

Safeguarding the privacy of your information is important to us, whether you interact with us personally, by phone, by mail, over the internet or any other electronic medium. We hold personal data in a combination of secure computer storage facilities and paper-based files and other records, and take steps to protect the personal data we hold from misuse, loss, unauthorised access, modification or disclosure.

When we consider that personal data is no longer needed, we will remove any details that will identify you or we will securely destroy the records.

However, we may need to maintain records for a significant period of time. For example, we are bound by certain anti-money laundering laws, that require us to maintain records of the services we provide for a period of five years from the date of their creation.

If we hold any personal data in the form of a deed, we will hold this deed in its complete form for a period of 12 years after our business relationship with you has ended.

We will retain the recorded communication between you and us in relation to the transactions made with you and the provision of services relating to the acceptance, transmission and execution of your orders for a period of five (5), seven (7) or ten (10) years in accordance with regulatory requirements.

Where you have opted out of receiving marketing communications we will hold your details on our suppression list so that we know you do not want to receive these communications.

WHAT LEGAL RIGHTS DO YOU HAVE IN RELATION TO YOUR PERSONAL DATA?

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

Details of your rights are set out below:

• ACCESS

If you ask us, we will confirm whether we are processing your personal data and, if so, provide you with a copy of that personal data (along with certain other details). If you require additional copies, we may need to charge a reasonable administration fee.

• RECTIFICATION

If the personal data we hold about you is inaccurate or incomplete, you are entitled to have it rectified. If we have shared your personal data with others, we will let them know about the rectification where possible. If you ask us, where possible and lawful to do so, we will also tell you who we have shared your personal data with so that you can contact them directly.

• ERASURE

You can ask us to delete or remove your personal data in certain circumstances where we no longer need it or you withdraw your consent (where applicable). 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 'How do we store personal data and for how long'. If we have shared your personal data with others, we will let them know about the erasure where possible. If you ask us, where possible and lawful to do so, we will also tell you who we have shared your personal data with so that you can contact them directly.

• PROCESSING RESTRICTIONS

You can request that the processing of your personal data be restricted under certain circumstances, such as if you dispute the accuracy of the personal data or if you object to our processing. It will not stop us from storing your personal data though. We will tell you before we lift any restriction. If we have shared your personal data with others, we will let them know about the restriction where possible. If you ask us, where possible and lawful to do so, we will also tell you who we have shared your personal data with so that you can contact them directly.

• DATA PORTABILITY

You have the right, in certain circumstances, to obtain from us and otherwise use personal data that you have provided to us (in a structured, commonly used and machine-readable format). You can also ask us to transfer this information to a third party of your choice.

• OBJECTION

You can ask us to stop processing your personal data, and we will do so, if we are:

- relying on our own or someone else's legitimate interests to process your personal data except if we can demonstrate compelling legal grounds for the processing;
- processing your personal data for direct marketing; or
- processing your personal data for research unless such processing is necessary for the performance of a task carried out in the public interest.

• AUTOMATED DECISION-MAKING AND 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 (i) that such decision is necessary for entering into, or the performance of, a contract between you and us or (ii) you have given your consent to such decision, or (iii) such decision is authorised by applicable law providing for sufficient privacy safeguards. Even where a decision is necessary for entering into or performing a contract, you may contest the decision and require human intervention.

• RIGHT OF WITHDRAWAL

If we process your personal data on the basis of your consent, you also have the right to revoke your consent without this affecting the lawfulness of the processing carried out prior to the revocation.

TRANSFERS OUTSIDE OF THE EUROPEAN ECONOMIC AREA

We may transfer your personal data outside of the European Economic Area to affiliated companies of Spectrum MTF Operator GmbH as well as processors who are engaged on our behalf ('Transferees'). For example, currently we have affiliated companies located in the USA, Singapore, Australia, Japan, China, India, the UAE, South Africa and Switzerland. To the extent we transfer your information outside the European Economic Area, we will ensure that the transfer is lawful and that there are appropriate security arrangements.

In order to transfer personal data to third parties residing in regions that do not have an adequate level of data protection, we enter into agreements with the transfer recipients that provide adequate and appropriate protection through standard contractual clauses introduced by the European Commission. Where we make transfers to Transferees in the US, 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. If you would like a copy of such arrangements, please contact us using the contact details below.

WHAT IF YOU HAVE A COMPLAINT?

If you have a concern about any aspect of our privacy practices, you can make a complaint. This will be acted upon promptly. To file a complaint, please contact us using one of the contact options below.

If you are not satisfied with our response to your complaint, you have the right to lodge a complaint with a data protection authority, in particular in the EU Member State where you are residing or working or where there has been an alleged breach of applicable data protection laws.

HOW TO CONTACT US

If you have any questions about this privacy notice or want to exercise your rights, please contact us by:

- email dataprotection@spectrum-markets.com; or
- post to the address provided in the 'Who are we?' section of this privacy notice.