Privacy Policy

OANDA EUROPE LIMITED

A. Policy Statement

OANDA Europe Limited ("**OANDA**", "**we**" and "**us**") and our affiliates respect customer privacy and are committed to protecting it. The purpose of OANDA's Privacy Policy is to explain OANDA's privacy policy and practices and how customer personal data ("**Personal Information**") is collected, used, disclosed and maintained by us. We will be the data controller of such Personal Information and will process your Personal Information in accordance with our Privacy Policy.

The use and/or purchase of any of our services is subject to the applicable terms, the use of our website is subject to our website terms of use and this Privacy Policy is incorporated into and forms part of those terms.

A Data Protection Officer has been appointed at OANDA. In matters regarding the processing of personal data by us, you can contact us via the following e-mail address: privacy@oanda.com.

B. Personal Information OANDA Collects

OANDA collects Personal Information about our customers from the following two main channels:

1. *Website, Account and General Communications*

In order to provide materials and services to you, when you visit our website, request materials from us, register for events, or contract with us, we will collect data from you. We will receive your information in these circumstances, as examples:

- Visiting and using our website
- Account Application Forms and other documents and data submitted by customers, such as customer name, residential address, date of birth, employment information, investment experience, annual income, and estimated net worth
- Customer Transactions with OANDA such as ordering our products/services, account deposits and withdrawals that require customers to provide bank account information
- Communications with OANDA including with customer service representatives and our LiveChat function.

We refer collectively to these interactions as "**Website Services**". We explain below how we collect and use your information collected through the Website Services.

2. *Platform*

If you request access to our OANDA trading platform and payment portal (the "**Platform**"), we will also collect information about your use of the Platform. The information collected through the Platform will include usage, performance, analytic and metadata and some of this may include your Personal Information. This does not include the OANDA demo trading account (which falls within the scope of our Website Services).

OANDA does not collect more Personal Information than is required to open and operate customers' accounts, and to comply with regulatory compliance and other legal obligations.

Website, Account and General Communications

What We Collect

We (or third-parties acting on our behalf) may collect your information, including your Personal Information, when providing the Website Services including in particular:

- Name
- Email
- Address
- Phone Number
- Country of Residence
- Date of Birth/Age
- IP address.

Platform

What We Collect

We (or third-parties acting on our behalf) may collect your information, including your Personal Information, when providing access to the Platform including in particular:

- Name
- Email
- Address
- Phone Number
- Country of Residence
- Date of Birth/Age
- Tax Identification Number
- Income

- Income Source
- Level of liquid savings and investment
- IP address
- Employment Status
- Employer Name
- Industry
- Trading Experience
- Offences by way of a background check
- Government Identifiers: National Identification Number/Passport Number & Passport Expiry (which we electronically verify).

C. How OANDA Uses Personal Information

We may hold and retain information about you for various purposes based on different reasons.

1. *Website, Account and General Communications*

Some of the information we collect from you we need to enable us to deliver the Website Services to you in accordance with our terms, sometimes we are required by law and regulations to collect and process this information about you. At other times, we consider it is in our legitimate business interests to collect and process this information, taking into consideration your privacy rights. We may use your information to:

- Fulfil your orders or respond to requests you make in connection with providing the services under our terms with you

  To provide you with a response pursuant to your request and your agreement with the applicable terms, we will collect and use Personal Information including your name and email address.

- Provide our Website Services to you, including access to a demo account or support through our LiveChat function.

  In order to perform the Website Services under the contract between you and OANDA, we have to collect certain Information from you such as your name and contact details. Without this information, we may not be able to deliver the services which you request from us.

- Improve and develop the Website Services

  We look for ways to innovate and advance our Website Services. We will use Information about how you use the Website Services, including how you interact with various aspects of the Website Services, the duration for which you use the Website Services and content that is of interest to you, in order to do this. It is in our legitimate business interests to use Personal Information in this way to develop improved Website Services.

- Send administrative information, changes to contract terms or policies

  Where we make updates to terms and policies we are required under certain laws and under our contract with you, to notify you of these changes. Other administrative communications may be necessary in order for us to perform our obligations under the contract with you, or may be sent out in line with our legitimate business interests.

- Send marketing communications like product announcements, educational materials or upcoming online or offline events, where you have not objected to receiving these or with your consent where required. This may also include inviting you to participate in various promotional activities and consumer research surveys.

  It is in our legitimate business interests to generate growth for our own business to ensure we continue to generate development for our company and drive sales of our products and services. We will carry out marketing campaigns and research surveys in accordance with other applicable laws.

- Research and analyse how our Website Services are used via cookies, web beacons and other similar technologies to personalise the Website Services. (For more information about our use of cookies and your choices to opt-out of their use, see "Cookies" at section I below.)

  We use your information in our legitimate business to understand how you interact with our Website Services and to deliver relevant content to you online.

- Diagnose and fix technical issues and monitor the security of our environments.

  We need to understand how our Website Services are performing in order to prevent and address any issues that may present themselves with regard to technical and security operations. We may process your Personal Information for this purpose in our legitimate business interests to protect the integrity of the Website Services.

- To comply with any applicable law, regulation, legal process, or governmental request.

- For any other purpose disclosed to you in connection with our Website Services from time to time.

  If we intend to process your Personal Information for a purpose other than that set out above, we will provide you with information prior to such processing.

It is also in our legitimate business interests to process your Personal Information to protect our rights or property, or the security or integrity of our Website Services.

Third-Party Content. The Website Services may offer access to third party services. These services may collect and use your information. This Privacy Policy does not extend to third-party apps or add-ons (which may also collect your Information) even if packaged by OANDA or offered through the Website Services.

2. *Platform*

We collect Personal Information including payment details, as set out above, in order to provide access to the Platform under the contract between OANDA and you. We are also required to keep these payment details to comply with our own legal obligations.

We also collect and process usage data when you use our Platform (e.g. IP address, session duration, activities undertaken on the Platform and other use data) ("**Usage Data**") in order to provide, maintain, and improve our Platform.

In addition, we collect and process data about our Platform, features or users in order to improve the Platform ("**Analytics Data**"). Analytics Data may include information about the devices operating the Platform (e.g. browser type/version, OS type/version, device type/version), or such other similar information about user configuration or operation of service features or functionality.

Whilst both Usage Data and Analytics Data may not contain information that we can use to identify you in the "real world" (such as a name or address), we collect this data and store it against a uniquely assigned ID.

We may use automated decision making to analyse the transactions you conduct using the Platform and create a profile of your usage. We may use algorithms to perform this analysis. This assists the monitoring of transactions for fraudulent activity as well as review general performance of our clients. If this raises concerns about fraudulent activity, we may take steps to close the client account and liaise with authorities as is necessary.

How we use this Platform data

Usage Data. Specifically, OANDA may use Usage Data to:

- Positively identify and determine eligibility of customers opening accounts
- Evaluate whether currency trading is suitable for each customer
- Complete bank deposits and withdrawals
- Effect, administer or enforce transactions requested or authorised by the customer and
- Maintain or service the customer's account with OANDA.

Our lawful basis for using Usage Data is in order to take steps to enter into a contract with you or as is necessary for the performance of a contract already in place between us.

Analytics Data. OANDA uses Analytics Data to help us better understand how our Platform is being used, make improvements, and develop new features, products and services. We may use this data to:

- Better understand how our users configure and use our Platform
- Determine which configurations or practices optimise performance (e.g. best practices)
- Perform data analysis and audits
- Identify, understand and anticipate performance issues and the environmental factors that affect them
- Other such business purposes relating to the operation, improvement, or development of our Platform.

The use of this Analytics Data, for the purposes described in the above, is carried out pursuant to our legitimate business interests, to develop, expand and improve our Platform offering.

We are sure to balance our legitimate business interests with your privacy rights and we take steps in how we process and use Usage Data and Analytics Data to protect these.

Personal Information collected online may be combined with other information customers provide to OANDA in hard copy or through the OANDA help desk.

D. Disclosure of Customer Personal Information

OANDA may disclose Personal Information of current and former customers to affiliated and non-affiliated third party entities in connection with our business (who may be located anywhere in the world but where adequate safeguards are in place for the transfer, as set out further in the section marked "Where do we store your Personal Information") including, without limitation:

- to OANDA's service providers that perform services on OANDA's behalf under written agreements which restrict use of Personal Information to the limited purposes for which it is provided to them and to refrain from further use or disclosure except as permitted by law. This may include companies who perform background checks or identity verification, infrastructure, data analysis, business intelligence, customer relationship platform providers, banks, payments institutions, postal operators, marketing support services providers, consumer research service providers, cloud service providers, and other IT service providers
- to communicate with credit reference and information agencies

- to OANDA strategic partners to permit them to assess your interest in Website Services, including foreign exchange payments and international money transfers

- to OANDA affiliates, who are permitted to disclose and use the information only to the extent that OANDA may disclose and use the information under this Privacy Policy

- in the ordinary course of business to OANDA's attorneys, accountants and auditors

- to persons holding a legal or beneficial interest relating to the customer's account

- to persons acting in a fiduciary, representative, or attorney capacity in relation to an account

- to protect against actual or potential fraud, unauthorised transactions, claims or other liability

- to government, regulatory or law enforcement agencies to the extent permitted or required by law, or to comply with applicable legal requirements

- to FCA-regulated or PRA-regulated individual who is seeking to obtain a reference on your account or persons we believe to be seeking a credit reference in good faith

- to monitor our services, whether provided by ourselves or a third party

- to comply with civil, criminal or regulatory investigations, or judicial process, summons or warrant by appropriate EU or UK authorities or

- in the event of a proposed or actual reorganisation, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of OANDA's business, assets or stock (including in connection with any bankruptcy or similar proceedings).

The client confidentiality obligations set out in our Privacy Policy do not and will not apply to, and in respect of, any confidential information required to be disclosed (by us or you) pursuant to any applicable law, or the lawful request of any court of competent jurisdiction, government agency, or regulatory body, provided in each case you (or we) notify and consult with us (or you) in advance and as to the timing and content of such disclosure, except where applicable law prohibits us (or you) from doing so.

Except as stated in this Privacy Policy, OANDA will not share Personal Information about any present or former customer with any non-affiliated third party without the customer's prior written consent.

E. How we secure your Personal Information

All information you provide to us is stored on our secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our Website Services and Platform, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we will do our best to protect your Personal Information, we cannot guarantee the security of your data transmitted to our Website Services and Platform; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

F. Where do we store your Personal Information

The data that we process in relation to you may be transferred to, and stored at, a destination outside the UK that may not be subject to equivalent data protection law. It may also be processed by staff situated outside the UK who work for us or for one of our suppliers.

For example, we may transfer your personal information outside the UK:

- In order to store it
- In order to enable us to provide goods or services to and fulfil our contract with you or the company you work for. This includes order fulfilment, processing of payment details, and the provision of support services
- Where we are legally required to do so
- In order to facilitate the operation of our group of businesses, where it is in our legitimate interests and we have concluded these are not overridden by your rights.

We only transfer your Personal Information abroad to countries which are considered to provide an adequate level of data protection, or in the absence of such legislation that guarantees adequate protection, based on appropriate safeguards (e.g., standard contractual clauses adopted by the European Commission to the extent recognised by the competent Data Protection Authority or another statutory exemption) provided by local applicable law.

A list of the countries in which OANDA Group operates can be found here.

G. How long we retain your Personal Information for

We will only retain Personal Information for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory, or internal policy requirements. To help us do this, we apply criteria to determine the appropriate periods for retaining your Personal Information depending on its purpose. As far as necessary, we will keep your data for the duration of our business relationship subject to applicable legal and regulatory requirements. In addition, we might process your data after the termination of our business relationship for compliance and risk management purposes in accordance with the applicable laws as well as pursuant to various retention and documentation obligations or if it is in our legitimate interest. For example, we retain Personal Information (a) in

relation to the Platform, for as long as you have an account with us in order to meet our contractual obligations to you and, upon termination of our business relationship with you, for at least five years in accordance with regulatory requirements or as long as required to resolve any legal proceedings, (b) in relation to Website Services, for the minimum period of 12 months unless such data is likely to relate to a contract you may/have entered into in the future, and subject to any subject access requests you may make and (c) in relation to any data provided with consent for research purposes, until such time when the data are no longer needed for the purpose for which they were first collected.

We may also retain aggregate information beyond this time for research purposes and to help us develop and improve our services. You cannot be identified from aggregate information retained or used for these purposes.

H. Your Data Subject Rights

You have certain rights in relation to your Personal Information. Please be aware that certain exceptions apply to the exercise of these rights and so you will not be able to exercise these in all situations. OANDA exercises your rights without undue delay, generally, within one month of receiving the request at privacy@oanda.com.

- You have a right to be provided with access to your Personal Information processed by OANDA.

- You have the right to request the OANDA to correct your Personal Information that is incorrect, as well as to request supplementing incomplete Personal Information.

- You have the right to request the OANDA to erase your Personal Information in any of the following cases: (i) when Personal Information are no longer necessary for the purposes for which they were collected or otherwise processed, (ii) when Personal Information is processed unlawfully, (iii) when Personal Information must be removed in order to fulfil the legal obligation provided for in generally applicable regulations. However, the OANDA will not be able to erase Personal Information to the extent that their processing will be necessary for: (i) exercising the right to freedom of expression and information, (ii) compliance with a legal obligation that requires processing on the basis of universally applicable regulations, (iii) statistical purposes on the terms set out in the UK GDPR, (iv) establishing, investigating or defending claims.

- You have the right to request the OANDA to limit the processing of Personal Information in cases where: (i) you question the correctness of Personal Information - for a period allowing the OANDA to check the correctness of this data, (ii) the processing is unlawful, and you oppose the deletion of Personal Information and request the restriction of their use instead, (iii) the OANDA no longer needs Personal Information for the purposes of processing, but you need them to establish, assert or defend claims.

- You have the right to ask that we transfer the Personal Information you gave us to another organisation, or to you, in certain circumstances.

- You have the right to object to the processing of your Personal Information if the OANDA processes this data in a legitimate interest. We may disregard the objection if we demonstrate the existence of valid, legitimate grounds for processing, overriding your interests, rights and freedoms, or grounds for establishing, pursuing or defending claims.

- In the limited circumstances where you may have provided your consent to the processing of your Personal Information, you have the right to withdraw any consents to processing that you have given us and prevent further processing if there is no other ground under which we can process your Personal Information.

You have the right to ask us to restrict the processing of your Personal Information in certain circumstances.

I. Cookies

Cookies are small text files placed in visitors' computer browsers to store their preferences. The Website Services, our Platform, and our third party partners, collect and store information that is generated automatically as you use it, including your preferences and anonymous usage statistics.

OANDA collects information about your device and uses tracking mechanisms such as cookies to: (i) facilitate customer use of our website and mobile applications, (ii) enable customisation of our online services and website features, (iii) avoid customer re-entry of data, (iv) store customer preferences for certain kinds of information, (v) enhance security measures, and (vi) gather data about usage of our website and mobile applications for research and promotions.

OANDA uses cookies from third party service providers to facilitate website tracking and security measures and may share the information collected with third parties acting as our service providers, who are required to maintain the confidentiality of the information.

We use these cookies and other technologies on the basis that they are necessary for the performance of a contract with you, or because using them is in our legitimate interests (where we have considered that these are not overridden by your rights), and, in some cases, where required by law, where you have consented to their use.

We use the following types of cookies:

- **Essential** cookies. These are cookies that are required for the operation of our Website Services and/or our Platform and under our terms with you. They include, for example, cookies that enable you to log into secure areas of our Website Services and/or our Platform.

- **Analytical/performance** cookies. They allow us to recognise and count the number of visitors and to see how visitors move around our Website Services and/or our Platform when they are using it. This helps us for our legitimate interests of improving the way our Website Services and/or our Platform works, for example, by ensuring that users are finding what they are looking for easily.

- **Behavioural** cookies. These are used to recognise you when you return to our Website Services and/or our Platform. This enables us, subject to your choices and preferences, to personalise our content, greet you by name and remember your preferences (for example, your choice of language or region).

- **Marketing** cookies. These enable you to experience more relevant online content and see adverts which are aligned with your interests, as indicated by your activity on our site.

You can accept or reject cookies, or customise your choices using the "Cookie settings" link available via OANDA website. You can also configure browser preferences to not accept these cookies however this may result in reduced functionality.

Some third-party vendors that provide ads on OANDA web pages may use cookies to collect details on customer website visits and other data (but not names, addresses, email addresses, or telephone numbers) in order to provide ads about goods and services of particular interest to individual customers. For more information on this practice or to opt out, please visit www.aboutcookies.org.

J. Links to non-OANDA websites

The OANDA website may provide links to third-party websites for customer convenience and information. If customers decide to access those links, they will leave the OANDA website. OANDA does not control those third-party sites or their privacy practices, which may differ from OANDA's. OANDA does not endorse or make any representations about third-party websites. Any Personal Information customers choose to give to unrelated third parties is not covered by OANDA's Privacy Policy. Customers should review the privacy policy of any third-party website before submitting Personal Information. Some third- party companies may choose to share their Personal Information with OANDA. That sharing is governed by the disclosing company's privacy policy.

K. Notification of Policy and Policy Changes

OANDA provides an initial notice of its Privacy Policy to customers at the time it establishes a customer relationship and the Privacy Policy is dated and posted on its website. Updates will be posted on the OANDA website, so our customers will always know what information we collect, how we use it, and what choices they have.

L. Contact Us:

We will never ask you for security information such as passwords over the phone or by email. If you receive a call or email which you are not sure has come from OANDA, please contact us at infosec@oanda.com.
We value our customers' opinions. If they have comments or questions about our Privacy Policy, they are invited to us at privacy@oanda.com.

Any concerns you may have regarding OANDA's Privacy Policy or specific complaints about how your Personal Information has been collected, used or disclosed should be forwarded to OANDA's Privacy Officer via privacy@oanda.com. OANDA will thoroughly investigate the complaint and will take whatever actions are warranted and notify you once this has been done.

If you remain unhappy with how we've used your data after raising a complaint with us, you can also complain to the ICO. The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Helpline number: 0303 123 1113
Website: https://www.ico.org.uk/make-a-complaint

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