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This privacy policy is made on behalf of Capital Index (UK) Limited (hereinafter referred to as “the Company” and/or “Capital Index”), a limited company incorporated under the laws of England and Wales (Company No. 9232185) with registered office at 2A Eastcheap, London, EC3A 1AE, informing on the procedures regarding the collection, use and disclosure of personal information obtained or received when visiting our website and when using any service available through our website. Capital Index is authorised and regulated by the Financial Conduct Authority (FRN: 709693).

The protection of privacy and the safeguarding of our Clients’ personal and financial information is of great importance to us.

INTRODUCTION

Capital Index is responsible for the protection of the privacy and the safeguarding of clients’ personal and financial information. By opening an account or establishing a business relationship with us, you give your consent to such collection, processing, storage and use of personal information by the Company.

The Company respects the privacy of its clients, understands its importance and maintains personal data, trusted and confidential information provided by its clients as one of its highest priorities. The Company is committed to maintaining the confidentiality, integrity and security of personal information in relation to current and prospective clients by respecting their right to keep their personal information confidential. In order to prevent unauthorised access and/or disclosure, the Company has in place suitable physical, electronic and/or managerial procedures and controls to ensure the confidentiality and security of the information provided by its clients and to protect against unauthorised access and/or use of clients’ records and/or information.

Data protection law says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not 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 kept up to date;
- Kept only as long as necessary for the purposes we have told you about; and
- Kept securely

Please view the following Privacy Statement which clearly explains how we collect, process, store and protect our Clients’ information.

References in this document to “Personal Data” means any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

References in this document to “Group” are references to Capital Index Group, including Capital Index (UK) Limited, Capital Index (Cyprus) Ltd and Capital Index (Global) Ltd and any entities under

common ultimate beneficial ownership, namely Learn to Trade Group and SmartCharts Ltd who we work closely with to deliver the ultimate experience in trading.

Each entity which collects or receives your data under the privacy notice does so as a data controller. Any member of the Group may use and share within the Group, the information you provide and other information it holds about you for the purposes set out in the privacy notice, applying appropriate security measures to keep your information safe and secure. Smart Charts Ltd and Learn to Trade Group may have specific privacy notices on their websites so when visiting or using these services please make sure you are informed of how they also use your information.

PURPOSE

As a rule, the Company refrains from any type of disclosure of personal and/or non-public information when such disclosure is not directly linked to service its clients. The Company collects the necessary information required to open a client's account, establish a business relationship and to provide clients with the services they require.

The purpose of this Statement is to explain to you:

- what Personal Data of yours we collect;
- how we use your Personal Data;
- how, with whom and when your Personal Data is shared;
- your rights; and
- other useful privacy and security related matters.

We want to give you clear information about what information we collect and how we use it. We are committed to respecting your privacy and keeping your personal information. This privacy and cookies policy tells you what to expect when Capital Index collects personal information.

COLLECTION OF PERSONAL DATA

Capital Index collects Personal Data from you when you apply for a trading account with us and throughout the time of doing business with you including when you visit our websites or communicate with us. When completing our live or demo account opening application form at our website www.capitalindex.com (the "Website"), we collect Personal Data including but not limited to:

- name,
- address,
- date of birth,
- gender,
- email address,
- IP address,
- phone number(s),

- your professional background,
- employment, profession and income source,
- banking details,
- trading experience,
- personal identification details such as passport or drivers licence,
- proof of address such as utility bills and bank statements, and
- other personal information we require to meet your needs and provide our services to you.

The Company requests and acquires information on personal and financial details to be provided by current/prospective clients, either on, but not limited to, relevant agreements and questionnaires in order to identify the client, create the economic profile of the client, verify the client identity, provide, deliver and develop products and services, assess the client appropriateness for the services and/or products offered by the Company, in order to service and maintain client accounts, process client transactions, respond to relative and/or additional inquiries and/or clarifications to either the client and/or their authorised representatives and to keep the client updated on any client business relationship relative matter and information on the Company's services and/or products.

This is used in order for us to facilitate the evaluation of your application and complete the relevant know-your-customer, anti-money laundering and appropriateness assessments that we are required to under the laws and regulations applicable to us. We also use this information for the purposes of communicating with you. We may collect details of your e-mail at the moment when you fill them in on the Website's landing page to create an account but before you fully complete the registration process.

We may also collect information from you if you require technical assistance or customer support.

As a part of our verification procedure which we perform in accordance with the requirements of the applicable laws and regulations, we also collect information necessary to verify your identity, such as an identification card, passport or driver's license. This information can also be obtained or verified by matching it with background information we receive about you from public records or from other entities not affiliated with Capital Index.

Additional information we may collect:

We may (but not necessary shall) also collect the following information:

- (i) location data and other IT communication data (including IP address and browser type) collected when you access and use our electronic trading platforms or websites;

- (ii) information about devices that you use when accessing the Platforms including unique devices identified;
- (iii) products you trade and their performance, including the amount invested;
- (iv) pages (including the Website and capitalindex.com application and all of their inner pages/Landing pages/) visited and content viewed, links and buttons clicked, URLs visited before and after you visit our Website (the “Web Data”). For more information about cookies and how to manage them please see our Cookie Policy;
- (v) Information about the anticipated and actual volume and value of your transactions with us, payment methods information provided in order to enable the construction of your economic profile;
- (vi) your telephone, email, SMS or Live Chat conversations with Capital Index’s customer support specialists;
- (vii) your social media profile details (name, profile photo and other information you make available to us, if any) when you connect with or contact us through a social media account; and
- (viii) information from third party databases to comply with our legal and regulatory obligations. Information necessary to verify your identity, such as an identification card, passport or driver’s license. This also includes background information we receive about you from public records or from other entities not affiliated with Capital Index.

Capital Index collects the necessary information required to open, transact and safeguard your client money and your privacy and to provide you with the services you require. To this end, Capital Index gathers information from you and may, in certain circumstances, gather information from relevant banks and/or credit agencies, and/or other sources (such compliance verification databases and similar service providers) as legally and regulatory obliged. We may also collect personal information about you from a third party such as an introducing broker.

For the purposes of GDPR, Capital Index acts as data controller in respect of the Personal Data that we collect from you.

The legal basis that we rely on for processing your data will depend upon the circumstances in which it is being collected and used, but will in most cases fall into one of the following categories:

- Where you have provided your consent to allow us to use your data in a certain way;
- Where the processing is necessary to carry out the performance of a contract with you;
- Where the processing is necessary for us to comply with a legal and/or regulatory obligation;
- or
- Where it is in our legitimate interests to perform our functions.

HOW DO WE USE YOUR PERSONAL DATA?

Capital Index processes your Personal Data for the following purposes:

(i) Account setup, verification and management. We use personal information such as your name, ID/passport details, email address, phone number, and information about your device to open and administer your trading account with Capital Index, provide technical and customer support and training, verify your identity, process payment information and send you important information about your account with us and our service information. This information is required for the purposes of Capital Index complying with the laws and regulations applicable to us.

To verify your identity, age and accuracy of your registration details provided, we may disclose such information to third parties e.g. financial institutions and third-party reference agencies and data verification service providers. This is required for the purpose of our complying with our legal obligations.

(ii) Complaints: We may also use such personal information to consider any concerns or complaints you may have and/or in the event this becomes necessary for the purposes of any legal action or claim that you or we may have against each other with regard to our services.

(iii) Personalisation. We may use your personal information, including but not limited to your professional background details and your account trading history to determine, deliver and/or suggest tailored solutions to you to personalize your experience with our services in line with your background, prior exposure to financial markets and your general experience in trading. This type of processing is necessary for the purposes of our legitimate interests in developing, delivering or presenting relevant personalized services and content to our customers.

(iv) Marketing. Subject to any preferences you have expressed (where applicable), we may use your personal information, including but not limited to your name, e-mail, address, phone number, location and Web Data, to deliver marketing and event communications to you across various platforms, such as social networks, email, telephone, text messaging, direct mail, online, or otherwise. We will do this either (i) until you withdraw your consent (or it ceases to be valid) or (ii) during the period of your relationship with us and, unless specifically instructed otherwise by you, for a reasonable period of time after the relationship has ended in order to inform you about products, services, promotions and special offers which we think may be of interest to you.

If we or any company within our Group send you a marketing email or other marketing communication, it will include instructions on how to opt out of receiving these marketing communications in the future. You can also manage your information and update your marketing preferences by emailing clientservices@capitalindex.com. We shall require up to

72 hours to process any changes you make to your marketing preferences. We note that even if you opt out of receiving marketing communications, we may still send you important information related to your account(s) with us and our services to you.

- (v) Risk Management.** In order to provide you our services and comply with our regulatory obligations we process your Personal Data as needed to evaluate and manage risks to our business. The types of Personal Data that we may process for these purposes includes, but it is not limited to, your trading history and patterns (which may be required to identify and prevent abusive trading and other unlawful trading practices), your name, ID, passport and residence details.
- (vi) Diagnostics, research and development.** We may use your personal information for internal research and development purposes, to help diagnose system problems, to administer our websites, to improve and test the features and functions of our services to you, to develop new content, products and services. To carry out testing and analysis. This processing is necessary for the purpose of our legitimate interests.
- (vii) Legal and regulatory obligations.** We may be required to use and retain personal information for legal and compliance reasons, such as the prevention, detection, or investigation of a crime; or fraud. We may also use personal information to meet our internal and external audit requirements, information security purposes, and as we otherwise believe to be necessary or appropriate: (a) under applicable law, which may include laws outside your country of residence; (b) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence; and (c) to enforce the terms of the Agreement, or for the purposes of defending any claim you may have against us in connection with your trading with us.
- (viii) Other purposes.** We may be required to use and retain your personal information for loss prevention or to protect our rights, privacy, safety, or property, or those of other persons in accordance with our legitimate interests.

PERSONAL DATA - MARKETING OPT OUT

Capital Index uses Personal Data only as required to comply with regulatory requirements and/or provide quality service to you. We will not rent, swap or sell your personal information to other organisations for them to use in their own marketing activities without your consent.

The Group may market additional products, services and promotions relevant to you and the products and services you require if you have given consent to us using data for such purposes.

If you do not want to receive marketing and promotional information of this nature for any reason, please contact us at the following address: clientservices@capitalindex.com

Capital Index will still send you important information about your account with us and our service information.

PROTECTION OF PERSONAL DATA

Any personal information you provide us will, subject to our Terms and Conditions, be treated as confidential and shared only within Capital Index Group and will not be disclosed to any third party except under any regulatory requirement, legal obligation or legitimate interests as described elsewhere in the Privacy Statement.

The personal information that you provide in connection with registering yourself as a Client of Capital Index is protected in many ways. You can access your trading account and profile through a password selected by you. This password is encrypted and known only to you and shall not be revealed to anyone else.

Registration information is safely stored on secure servers that only authorised personnel have access to via password.

SECURITY ARRANGEMENTS

The Company has in place reasonable commercial standards of technology and operational security to provide protection for all information provided by users from loss, misuse, alteration or destruction. Further, the Company maintains physical, electronic and procedural safeguards that comply with applicable legal requirements and regulations to guard our clients' personal information and any other information, to ensure to our clients that their privacy is a major part of the Company's commitment to provide the finest services possible.

Employees are trained to respect the confidentiality of customer information and the privacy of individuals. We take the safeguarding of your data very seriously and will impose appropriate penalties, including dismissal where necessary for any breaches. We have appointed a Data Compliance Officer to ensure that our management of personal information is in accordance with this privacy notice and the applicable legislation.

YOUR RIGHTS UNDER GDPR

You have certain rights under GDPR which are detailed below. Some only apply under specific circumstances and are qualified in several respects by exemptions in Data Protection Bill. We will advise you in our response to your request if we are relying on any such exemption. For any request, please contact us at clientservices@capitalindex.com. We will require you to prove your identity with 2 pieces of approved identification to process the request.

- (i) **Access to Personal Data:** You have a right to request a copy of the personal information that we hold about you.

We will request such other relevant information that will reasonably assist us in fulfilling your request. Information will be provided within 1 calendar month of the request, unless the request is complex, in which case we may notify you that an extension of up to 2 calendar months is necessary. A fee will not be charged for the first request but a reasonable fee to cover administrative cost of providing further copies will be charged. If the request is unfounded or excessive, Capital Index has the right to refuse the request or charge a reasonable fee to deal with the request.

- (ii) **Correction of Personal Data:** You can request us to rectify and correct any Personal Data that we are processing about you which is incorrect. We will act within one calendar month of request. We will independently verify your identity before any information is changed.
- (iii) **Right to withdraw consent:** Where Capital Index has a genuine, lawful and legitimate interest to collection, processing and storing of data, we are unable to withdraw consent. However, where we have relied upon your consent to process your Personal Data, you have the right to withdraw that consent. To opt out of marketing (email or SMS), contact us at clientservices@capitalindex.com.
- (iv) **Right of erasure/Right to be forgotten:** You can request us to erase your Personal Data where there is no compelling reason to continue processing. This right only applies in certain circumstances, it is not a guaranteed or absolute right (for example, we may be required to retain your data for legal and regulatory purposes which will take precedent).
- (v) **Right to data portability:** This right allows you to obtain your Personal Data that you have provided to us with your consent or which was necessary for us to provide you with our products and services in a format which enables you to transfer that Personal Data to another organisation. You may have the right to have your Personal Data transferred by us directly to the other organisation, if this is technically feasible.
- (vi) **Right to restrict processing of Personal Data:** You have the right in certain circumstances to request that we suspend our processing of your Personal Data. Where we suspend our processing of your Personal Data we will still be permitted to store your Personal Data, but any other processing of this information will require your consent, subject to certain exemptions.
- (vii) **Right to object to processing of Personal Data:** You have the right to object to our use of your Personal Data which is processed on the basis of our legitimate interests. However, we may continue to process your Personal Data, despite your objection, where there are compelling legitimate grounds to do so or we need to process your Personal Data in connection with any legal claims.
- (viii) **Rights relating to automated decision making and profiling:** You have the right not to be subject to a decision which is based solely on automated processing (without human involvement) where that decision produces a legal effect or otherwise significantly affects you. This right means you can request that we involve one of our employees or representatives in the decision-making process. We are satisfied that we do not make automated decisions of this nature.

SHARING PERSONAL DATA

Capital Index may share information with the Group Companies and Third Parties in the event such information is reasonably required or for legally or regulatory purposes.

Capital Index may share information within its Group in order to offer products and services that meet your needs and which are delivered in a manner that is useful and relevant.

Other Third Parties your Personal Data may be shared with could include, but are not limited to:

- an agent, professional advisor or service provider we engage to provide us with administrative, marketing, financial, insurance, research and other services such as our counter-party banks, liquidity providers, marketing agencies and IT service providers;
- organisations involved in a transfer or sale of our assets or business;
- financial institutions involved in managing our payments, such as banks;
- regulatory bodies, government agencies, law enforcement bodies and courts; and
- anyone whom you authorise us to disclose it to

Capital Index will not disclose your personal information to third parties outside of the EEA without ensuring:

- we have taken reasonable steps to ensure that the recipient has an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data; and.
- the recipient is subject to a similar information privacy regime.

Capital Index does not sell, license, lease or otherwise disclose personal information to third parties, except as described in this Privacy Statement.

Capital Index reserves the right to disclose information as necessary to credit reporting or collection agencies as reasonably required in order to provide the services to you.

Where you have been introduced to us by an Introducer, such an Introducer may have access to your personal information.

To help us improve our services, Capital Index may engage third parties to help carry out certain internal functions. Use of shared information may also be used to provide professional, legal, or accounting advice to Capital Index.

All third parties with which Capital Index shares personal information are required to protect such personal information in accordance with all relevant legislation and in a manner similar to the way Capital Index protects the same. Capital Index will not share personal information with third parties which it considers will not afford its Clients the required level of protection.

REGULATORY DISCLOSURE

Capital Index reserves the right to disclose Personal Data to third parties where required by law, regulatory, law enforcement or other government authority of a competent jurisdiction in order to protect our rights and / or comply with such legal proceedings. Such disclosure shall occur on a 'need-to-know' basis, unless otherwise instructed by a regulatory or other government authority.

Under such circumstances, Capital Index shall expressly inform the third party regarding the confidential nature of the information.

Capital Index, as a regulated firm, is required to comply with certain obligations under the Intergovernmental Agreement with the United States and has taken all reasonable steps to be considered in compliance with FATCA.

DATA RETENTION

Capital Index is legally obligated to keep your Personal Data provided to us, including but not limited to your name, address, email, phone number, your trading and transaction history, deposits and withdrawals history, for at least 5 (five) years after our relationship with you has terminated.

We will hold your personal data for the longest of the following periods: (a) the period required for the performance of the relevant activity or services, (b) any retention period required by law, (c) the end of the period of any litigation and/or investigation by a public authority which arises in respect of the relevant activity and/or the services, or (d) where the company has justifiable legitimate interest.

Kindly note that data protection terms will be included in the Terms and Conditions for the establishment of a business relationship between us. Any personal data collected will be retained for carrying out the establishment of the business relationship between us. If we hold any personal information in the form of a recorded communication, by telephone, electronic, in person or otherwise, this information will be held in line with local regulatory requirements which will either be five (5) or ten (10) years after our relationship with you has terminated.

RESTRICTION & LIMITATION OF LIABILITY

The Company and/or its employees shall not be held liable for any loss(es) and/or damage(s) including without limitation, indirect and/or consequential loss(es) and/or damage(s) arising from loss(es) of data and/or profit(s) arising out of and/or in connection with, the use of this website. The material and/or information contained on this website is solely for information purposes only. Material and/or information on this website, including, but not limited to, images, texts, policies, forms, agreements is owned and/or otherwise provided by the Company; should not be reproduced, and/or distributed and/or published in whole and/or in part for any purpose without the explicit written consent and/or permission of the Company. The material and/or information within this website should not be interpreted and/or comprehended as an offer and/or a solicitation of an offer, to investment services/activities and/or any financial instruments.

This website is not intended to constitute legal, investment, consulting, or other professional advice or services. The Client, before making any decision or taking any action that might affect his/her personal situation and/or business, should consult a qualified professional advisor.

USE OF "COOKIES"

A cookie is a small amount of data, which often includes a unique identifier that is sent to your computer, tablet or mobile phone (all referred to here as a "device") web browser from a website's computer and is stored on your device's hard drive. Each website can send its own cookie to your web browser if your browser's preferences allow it. Many websites do this whenever a user visits

their website to track online traffic flows. Similar technologies are also often used within emails to understand whether the email has been read or if any links have been clicked.

a) FIRST PARTY COOKIES

Capital Index uses session cookies. A session cookie is temporary and only exists for the period you access the website for (or until the browser is closed after visiting our website). This particular type of cookie assists us by helping our website remember your selections and choices whilst visiting our website and therefore avoids you having to re-enter information. This type of cookie does not contain personal information and cannot be used to identify you.

b) THIRD PARTY COOKIES

A Third-Party Cookie is one which is not related to Capital Index and is placed on your device by a third party. Please note that other third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be performance cookies. Such third parties may place cookies on your device but these third-party cookies are not controlled by Capital Index and we cannot prevent such third parties placing cookies on your device. If you are concerned by the use of third party cookies you should contact the websites of such third parties directly and obtain details from them regarding how to opt out of receiving these cookies.

c) WHY DOES CAPITAL INDEX USE THESE TECHNOLOGIES?

Information supplied by cookies can help us to understand the profile of our visitors and help us to provide you with a better experience.

Our website, www.capitalindex.com web portal, and application form uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and allows us to improve our site.

d) WHAT CAN I DO ABOUT COOKIES?

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies (Such as restricting third party cookies for instance).

However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of the site and the functionality of the site may be impaired.

Except for essential cookies, all cookies will only be retained for a commercially reasonable period.

PRIVACY STATEMENT UPDATES

From time to time, Capital Index may update this Privacy Statement. In the event Capital Index materially changes this policy, including how we collect, process or use your Personal data, the revised Privacy Statement will be posted on the website, keeping you informed. Capital Index encourages Clients to periodically check back and review this policy so that the Client always will know what information Capital Index collects, how it used and to whom it may be disclosed.

COMPLAINTS

If you think that we are using your information in a way which breaches data protection law, you have the right to lodge a complaint with your national data protection supervisory authority (if you are in the UK, this will be the ICO <https://ico.org.uk/>).

For any queries or further information in relation to this Privacy Statement, please contact ClientSupport@CapitalIndex.com.