

Foris DAX AU Pty. Ltd. Privacy Notice

Last Update: April 22, 2021

At Foris DAX AU Pty. Ltd. ("**Foris**", "**we**" or "**us**"), we understand how important your Personal Information is, and we are committed to safeguarding your privacy. We adhere to the Australian Privacy Principles ("**APPs**") contained in the Privacy Act 1988 (Cth) ("**Privacy Act**"). This Privacy Notice describes how we collect and handle your Personal Information when you use any of our websites, products, services, or mobile applications (collectively, "**Services**").

The purpose of this Privacy Notice is to inform you about the types of Personal Information Foris collects, uses, and discloses. It explains how we use and disclose the Personal Information upon collecting the same from you, the choices you have regarding such use and disclosure, and how you may correct that information. We understand privacy as an ongoing mission to which we commit by complying with the laws and regulations under the applicable privacy legislation in Australia. This Privacy Notice is created to meet the standards embedded in the APPs and Privacy Act.

From time to time, we may make changes to this Privacy Notice. The Privacy Notice is current as of the "last update" which appears at the top of this page. We will treat Personal Information in a manner consistent with the Privacy Notice under which it was collected and our privacy practices, unless we have your consent to treat it differently. This Privacy Notice applies to any Personal Information we collect or receive about you, from any source.

1. What is Personal Information?

"**Personal Information**" is information or opinion we hold which is identifiable or reasonably identifiable as being about you. We will, from time to time, receive and store Personal Information you enter when use the Services, provided to us directly or given to us in other forms, such Personal Information may include but is not limited to:

Category of Personal Information

Examples of Personal Information

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Identity Data	<ul style="list-style-type: none">• full name (including, where applicable, maiden name),• username or similar identifier,• title,• date of birth,• gender,• photograph,• tax identification number, social security number or similar identifier,• national identity cards,• passports, driver's licenses, or other forms of identification,• Contact Data.
Sensitive Data	<ul style="list-style-type: none">• biometric information
Contact Data	<ul style="list-style-type: none">• Billing, delivery, home, and work address,• email address,• telephone numbers.
Financial Data	<ul style="list-style-type: none">• bank account,• payment card details,
Transaction Data	<ul style="list-style-type: none">• details about payments to and from you,• other details of any transactions you enter into using or accessing the Services.
Investment Data	<ul style="list-style-type: none">• information about your:<ul style="list-style-type: none">◦ investment objectives,◦ investment experience,◦ prior investments.

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Examples of Personal Information

Technical Data	<ul style="list-style-type: none">• internet protocol (IP) address,• your login data,• browser type and version,• time zone setting and location data,• browser plug-in types and versions,• operating system and platform,• other technology or information stored on the devices you allow us access to when you visit our websites or access or use the Services.
Profile Data	<ul style="list-style-type: none">• your username and password,• requests by you for products or services,• your interests, preferences, feedback and survey responses.
Usage Data	<ul style="list-style-type: none">• information about how you use:<ul style="list-style-type: none">◦ our websites,◦ mobile applications,◦ products and Services.
Marketing and Communications Data	<ul style="list-style-type: none">• your preferences in receiving marketing from:<ul style="list-style-type: none">◦ us◦ third parties◦ your communication preferences.

2. How do we collect your Personal Information?

We will not collect Personal Information unless the information is reasonably necessary for the purpose stipulated herein. We collect Personal Information from and about you in a variety of ways, including when you interact with us electronically when you use our Services and when we provide our Services to you. We may receive Personal Information from third parties. If we do, we will protect it as set out in this Privacy Notice.

Direct interactions.

You may give us your Personal Information by filling in forms, using our Services, by email, or otherwise. This includes Personal Information you provide when you: apply or register for our products or the Services. create an account. subscribe to our Services or other publications. make use of any of our Services. request or indicate that marketing materials may be sent to

you. enter a competition, promotion, or survey; or give us feedback or communicate with us, including through different social media channels.

Automated technologies or interactions.

As you interact with us via our website(s) or mobile application, we will automatically collect certain Personal Information about your equipment, browsing actions, transactions, feedback, responses, and patterns of use. We collect this Personal Information by using cookies, server logs, and other similar technologies. We may also receive Personal Information about you if you visit third-party websites employing our cookies. On our main website you will be informed about how we use cookies and the control that you can exercise through the [Cookie Settings](#).

Third parties or publicly available sources.

We may also obtain information about you from third parties who provide identity verification and anti-fraud services, who act as financial institutions, or who verify that you are not limited in your ability to use our Services by any applicable laws.

3. How do we use your Personal Information?

We identify the purposes for which we use your Personal Information at the time we collect such information from you and obtain your consent, in any case, prior to such use. We generally use your Personal Information for the following purposes (the "**Purposes**"):

- To register you as a new customer.
- To process and deliver our Services and any App features to you including:
 - Execute, manage and process any instructions or orders, you make
 - Manage, process, collect and transfer payments, fees and charges
 - Collect and recover money owed to us
- To manage our relationship with you which would include:
 - Notifying you about changes to our terms or Privacy Notice.
 - Asking you to leave a review or take a survey.
 - Keep you informed of our company's business and product development
- To manage risk and crime prevention including:
 - Detect, investigate, report and prevent financial crime in a broad sense.
 - Obey laws and regulations which apply to us.
 - Responding to complaints and resolving them.
- To enable you to partake in a prize draw, competition or complete a survey.
- To administer and protect our business, our Site and App(s) including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data.
- To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you.
- To use data analytics to improve our website, products/services, marketing, customer relationships and experiences.
- To make suggestions and recommendations to you about goods or services that may be of interest to you.

Cookies

We use cookies to optimize your experience when browsing our website or using our online Services and you will be informed about how we use cookies and the control that you can exercise through the [Cookie Settings](#). Cookies are very small files which a website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. Most web browsers automatically accept cookies but you can choose to reject cookies by changing your browser settings. Your browser may have settings to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the Services or our website may become inaccessible or not function properly. Our website may from time to time use cookies to analyze website traffic and help us provide a better website visitor experience.

4. To whom do we disclose your Personal Information?

We identify to whom, and for what purposes, we disclose your Personal Information, at the time we collect such information from you and obtain your consent to such disclosure.

We may disclose your Personal Information outside of the country with our employees, officers, third-party service providers, agents, subcontractors, and other associated organizations, our group companies and affiliates in so far as reasonably necessary for the purposes set out herein including to complete tasks, provide the Services to you on our behalf, and otherwise fulfill our obligations. If we do disclose, we will require such employees, officers, third-party service providers, agents, subcontractors, and other associated organizations, our group companies and affiliates, under written agreements, to protect and respect the security of your Personal Information and to treat it in accordance with the applicable law.

We may disclose your Personal Information and other data you provide to us for the following purposes:

- To verify your identity.
- To detect and prevent fraud, money laundering, terrorist financing, and other financial crimes and illicit activities.
- To facilitate the provision of services and relevant business operations to support our delivery of the Services and related aspects to you, including disclosure to third-party financial institutions.
- To improve our information, technology, and security systems including websites and mobile applications.
- To provide customer service.
- To promote our products or Services if you submit a product review or post content on public areas of our product, Services, or social media accounts.
- To transfer our rights and duties under the relevant terms and conditions governing the use of any Services (to the extent allowed).
- To comply, in our belief, with a legal request or to protect or enforce our rights, including to comply with an applicable law or regulation, or in response to a request for information

if we believe disclosure is in accordance with any applicable law, regulation, or legal process, to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability, and to protect the rights, property, and safety of us or others.

- To evaluate, effectuate, or otherwise transfer your Personal Information as part of a proposed or actual sale, merger, restructuring, transfer, or exchange of all or a portion of our assets to another company.

5. When and how do we obtain your consent?

We generally obtain your consent prior to collecting, and in any case, prior to using or disclosing your Personal Information for any purpose. The form of consent that we seek, including whether it is express or implied, will largely depend on the sensitivity of the Personal Information and the reasonable expectations you might have in the circumstances.

6. How do we ensure the privacy of your Personal Information when dealing with our affiliates and/or other third parties?

We ensure that all affiliates and other third parties that are engaged to perform services on our behalf and are provided with Personal Information are contractually required to observe and comply with the intent of this Privacy Notice and our privacy practices as well as the applicable laws including the Privacy Act and APPs.

Third-Party Sites

Because our Services are provided through digital means, those Services may from time to time include links to third-party websites, plug-ins, and applications ("Third-Party Sites"). These links are meant for your convenience only. Links to Third-Party Sites do not constitute sponsorship or endorsement or approval of such Third-Party Sites. Clicking on those links or enabling those connections may allow third parties to collect or disclose data about you. Please be aware that we do not own or control these Third-Party Sites and are not responsible for their privacy statements and practices. We encourage you to read and be aware of the privacy notice of each and every Third-Party Site you visit or use.

7. How long will we utilize, disclose or retain your Personal Information?

We may keep a record of your Personal Information, correspondence or comments, in a file specific to you. We will utilize, disclose or retain your Personal Information for as long as necessary to fulfill the purposes for which that Personal Information was collected and as permitted or required by law.

8. How can you access your Personal Information that we have collected, utilized or disclosed?

You may make a written request to access details of Personal Information that we have collected, utilized or disclosed about you in accordance with the provisions of the Privacy Act 1988 (Cth). A small administrative fee may be payable for the provision of information, of which you may be assured that we will not charge you such fee unless we have provided you with an

estimate of the approximate administrative fee. We will make such Personal Information available to you in a form that is generally understandable and will explain any abbreviations or codes.

We understand that there are times whereby we may be requested to speed up our response and in the event we receive such a request from you, please be informed that we may contact you to find out further details pertaining to your request.

If you would like a copy of the Personal Information which we hold about you, please email us at: dpo@crypto.com

We reserve the right to refuse to provide you with information that we hold about you, in certain circumstances set out in the Privacy Act

9. How do you know that the Personal Information we have on you is accurate?

It is important that the Personal Information we hold about you is accurate, complete and up to date as possible. Please keep us informed if your Personal Information changes during your relationship with us.

10. How fast will we respond to your written requests?

We will attempt to respond to each of your written requests not later than thirty (30) days after receipt of such requests. We will advise you in writing if we cannot meet your requests within this time limit. You have the right to make a complaint to the Privacy Commissioner in respect of this time limit.

11. How do we know that it is really you requesting your Personal Information?

To protect your Personal Information and to prevent any unauthorized disclosure or deletion of your Personal Information, we may require that you provide sufficient identification prior to proceeding with your request. Any such identifying information will be used only for this purpose.

12. What safeguards have we implemented to protect your Personal Information?

While no online or electronic system is guaranteed to be secure, we take reasonable measures designed to protect the information, we collect, from loss, theft, misuse, and unauthorized access, disclosure, alteration, and destruction. In particular, we implement reasonable security practices and procedures designed to protect the confidentiality and security of this information in accordance with, and prohibit disclosure other than as permitted by, this Privacy Notice. We also use reasonable measures designed to limit access to your Personal Information to those employees, agents, contractors and other third parties who have a business reason to know such information. Such access and disclosure are subject to a duty of confidentiality.

We have put in place reasonable procedures to deal with any suspected Personal Information breach and will notify you and any relevant regulator of a breach where we are legally required to do so.

If you want to know more about our security practice, please visit the following link:

<https://crypto.com/security>

13. How do you contact us regarding your Personal Information or our privacy practices?

If you have any comments, questions, concerns or complaints regarding your Personal Information or our privacy practices, please feel free to send in details of the same to our Data Protection Officer's team as follows:

By written notice:

Attention To: Data Protection Officer of Foris DAX AU Pty. Ltd.,
Address: Tricor Services (Australia) Pty Ltd,
Level 3, 1049 Victoria Road, West Ryde NSW 2114, Australia

By email: dpo@crypto.com

We take all comments, questions, concerns and complaints very seriously and will respond as soon as reasonably practicable upon receiving the same.

14. Will there be any changes to this Privacy Notice and how will you be informed of such changes?

As mentioned above, please note that we may change or modify this Privacy Notice at any time, in our sole discretion and all such changes or modifications will be effective immediately upon our posting of the changes or modification on our website, mobile application or notice board, as the case may be.

Thus, we urge you to check and read the notification as may be posted by us from time to time on the said website, mobile application or notice board.
