



# TOPFOREX

## PRIVACY POLICY

### **1. Our Commitment to You**

We understand the importance of maintaining the confidentiality and privacy of Your Information. By entrusting us with your information, we would like to assure you of our commitment to keep such information private. We have taken measurable steps to protect the confidentiality, security, and integrity of Your Information.

If you are a natural person, TOPFOREX is the personal data controller of your personal data in relation to the processing activities which your personal data undergo as stated further below.

### **2. Collection of Information**

If you decide to apply to open a Client Account with us and hence become our Client there is certain information that we will require from you in order to do so.

We may collect Your Information directly from you (in your completed Account Opening Application Form or other way) before you become our Client or from other persons including, for example, credit reference agencies, fraud prevention agencies, banks, other financial institutions, third authentication service providers and the providers of public registers. This information includes, but is not limited to personal details such as name, address, date of birth, contact details, payment details, including credit card, debit card and bank account details, and other necessary financial information such as information about your income, wealth, assets and personal investment preferences and targets.

We may also collect Your Information in regards to your use of our website(s), such as pages visited, frequency, duration of visit and trading activities.

From time to time we may also request further information to help us improve our Service to you (if you are our Client) or our activities (if you are our Provider for Trading Data) under our relevant Agreement, as the case may be, or comply with Applicable Regulations.

### **3. Use of the Information**

We will use, store, process and handle Your Personal Information (in case you are a natural person) in connection with the furthering of the Agreement between us, in accordance to the Processing of Personal Data (Protection of the Individual) Law of 2001, as amended or replaced from time to time.

Your Information (not in the public domain or already possessed by us without a duty of confidentiality) which we hold is to be treated by us as confidential and will not be used for any purpose other than in connection with the provision, administration and improvement of our Services to you or the furthering of our Agreement between us, establishing and managing your Client Account or a relationship between us, reviewing your ongoing needs, enhancing customer service and products, giving you ongoing information or opportunities that we believe may be relevant to you, improving our relationship, anti-money laundering and due diligence checks, for research and statistical purposes and for marketing purposes (according to the Agreement between us), as applicable.

We may transfer your personal information outside the European Economic Area. If we will make such a transfer, we will ensure that the transfer is lawful and that there are appropriate security arrangements in place to safeguard your personal data as provided by Applicable Regulations.

### **4. Contacting You**

We may, for the purpose of administering the terms of our Agreement between us, from time to time, make direct contact with you by telephone, fax, email, or post.

GOLDENBURG GROUP LTD

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Porto Bello BLD  
3042 Limassol, Cyprus

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info@topforex.com      Reg. No: HE328474  
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If you agree, we or any of our Affiliates of the Company or any other company in our group, may make contact with you from time to time, by telephone, fax, email or post for marketing purposes to bring to your attention products or services that may be of interest to you or to conduct market research.

### **5. Disclosure of Information**

Under the Agreement between us, we have the right to disclose Your Information (including recordings and documents of a confidential nature, card details) in certain circumstances. According to the Agreement between us, Your Information may be disclosed:

- a) where required by law or a court order by a competent Court;
- b) where requested by our Supervisor (the Cyprus Securities and Exchange Commission) or any other regulatory authority having control or jurisdiction over us or you or our associates or in whose territory we have Clients or Providers, as applicable;
- c) to relevant authorities to investigate or prevent fraud, money laundering or other illegal activity;
- d) a Broker or Execution Venue so as to execute your Instructions or Orders and for purposes ancillary to the provision of our Services to you as our Client;
- e) to credit reference and fraud prevention agencies, third authentication service providers, banks and other financial institutions for credit checking, fraud prevention, anti-money laundering purposes, identification or due diligence checks of you. To do so they may check the details you supplied against any particulars on any database (public or otherwise) to which they have access. They may also use your details in the future to assist other companies for verification purposes. A record of the search will be retained by us;
- f) to our professional advisors provided that in each case the relevant professional shall be informed about the confidential nature of such information and commit to the confidentiality herein obligations as well;
- g) to other service providers who create, maintain or process databases (whether electronic or not), offer record keeping services, email transmission services, messaging services or similar services which aim to assist us collect, storage, process and use Your Information or get in touch with you or improve the provision of our Services or activities under the Agreement between us;
- h) to a Trade Repository or similar;
- i) to other service providers for statistical purposes in order to improve our marketing, in such a case, the data will be provided in an aggregate form;
- j) to market research call centers that provide telephone or email surveys with the purpose to improve our Services or activities, but only contact details;
- k) where necessary in order for us to defend or exercise our legal rights to any court or tribunal or arbitrator or Ombudsman or governmental authority, as the case may be;
- l) at your request or with your consent;
- m) to our Affiliates or any other company in our group;
- n) to our employees so as to exercise their duties to further the Agreement between us, or to assure the efficient functioning of our Platform, the Automatic Orders and the Trading Data functions.

Where you are a natural person and our use of your personal information requires your consent, we will request you to provide your consent freely, specifically, after being informed and unambiguously by a statement or by a clear affirmative action, signifying your agreement to the processing of personal data relating to you. We will require you to provide your consent in an intelligible and easily accessible form, using clear and plain language. In such a case, we will maintain records of you having provided your consent.

If we rely on your consent as our legal basis for processing any of your personal information, you have the right to withdraw that consent at any time by contacting us using the contact details set out

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in this Privacy Policy. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

### **6. Safeguard Measures**

Your Information is stored on secure servers.

We limit access of Your Information only to those employees or Affiliates that need to know the information in order to enable the carrying out of the Agreement between us.

We have procedures in place regarding how to safeguard and use Your Information, for example by requesting our Affiliates and employees to maintain the confidentiality of Your Information as well as take appropriate technical and organisational measures to ensure that your information is secure.

We will not keep Your Information for any longer than is required. In many cases, information must be kept for considerable periods of time. Retention periods will be determined taking into account the type of information that is collected and the purpose for which it is collected, bearing in mind the requirements applicable to the situation and the need to destroy outdated, unused information at the earliest reasonable time. Under Applicable Regulations, we will keep records containing Client personal data, trading information, account opening documents, communications and anything else which relates to the Client for at least five (5) years after termination of the Agreement between us. In any event, we will keep Your Information for the duration of applicable Limitation of Actions Laws as a minimum. If you are our Client, we will store recordings of our telephone conversations and communication with you as well as internal communications which relate to your affairs and/or transactions with us and/or your orders to us, for a period of up to seven years as provided by Applicable Regulations.

While we will use all reasonable efforts to safeguard Your Information, you acknowledge that the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal data transferred from you, or to you via the internet.

### **7. Change of Information**

You may inform the Company at any time that Your Information has changed or that you wish the Company to delete information we hold about you by emailing us at [support@topforex.com](mailto:support@topforex.com). We will change or delete Your Information in accordance to your instructions, except to the extent that we are required to hold Your Information for regulatory or legal purposes, to provide you with the Services you have requested or to maintain adequate business records.

### **8. Right of Access**

Under the Processing of Personal Data (Protection of the Individual) Law of 2001, as amended or replaced from time to time, you as a natural person have the right to obtain a copy of any personal information which we hold about you and to advise us of any perceived inaccuracy.

To make a request, please contact us, verifying your identity and specifying what information you require. We may charge an administrative fee.

You may contact us via e-mail at [support@topforex.com](mailto:support@topforex.com)

### **9. Questions**

If you have any questions regarding this Privacy Policy, wish to access or change your information or have a complaint, or if you have any questions about security on our Website, you may email us at [support@topforex.com](mailto:support@topforex.com).

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Furthermore, in case you are not happy with the quality of Services we have provided you with, you as a natural person, have the right to lodge a complaint with our supervisory authority which is the Commissioner for Personal Data Protection in the Republic of Cyprus.

### **10. Update of this Policy**

This Policy is subject to change without notice. For this reason, you are advised to look for updates from time to time.

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