

Smart Invest LTD PRIVACY POLICY (NASSAU)

Our Approach

This Privacy Policy sets out how the personal information which you supply to Smart Invest LTD. (registered in the Commonwealth of the Bahamas, registration number 199667 B) (together referred to as “Smart Invest”, “our” or “we”) is used in connection with the Smart Invest website. It also describes how we use cookies on our website.

Smart Invest reserves the right to change this Privacy Policy from time to time and revised terms will be posted on our website.

This Privacy Policy is incorporated into the Terms and Conditions of our website and applies where we are acting as a data controller with respect to the personal data of our website visitors and service users; in other words, where we determine the purposes and means of the processing of that personal data.

For registered clients of Smart Invest who want to understand how their personal information is collected via other means, separate from the Smart Invest website, please see the supplemental Smart Invest terms and conditions under which we provide our services to you.

If you have any questions about this Privacy Policy please contact our privacy officer.

What Information do we hold about you and how do we collect It?

We collect your personal information in a number of ways related to the use of our online trading service provided through our website which we will store and process. The information we collect about you includes your name, date of birth, address, e-mail address, telephone number, profession and employment details, financial details, trading performance and trading history, and other contact details through our website or applications (including mobile phone apps). This information is collected in the following ways:

when you submit your contact details on the web site related to an enquiry requesting for information

when you sign up for a trial or live trading account on our website and use this account to access our

various trading platforms;

when we obtain personal data about you from qualified third parties in the process of signing you up to our services, for example for credit checks, document verification and background checks;

we may also access publicly available information from social media accounts to better understand our users' interests;

when you apply for a prepaid card on our website

when you provide your details to us in hardcopy versions of these forms or in letters related to our services

when you apply for or purchase any of our other products or services

when you fill out a survey, or vote in a poll on this website while logged in under your name; and

when you tell your details to our customer agents or when you interact with us through our communications channels, like chats.

We may also use cookies or similar technologies to collect website usage information. For further information, please see the section on Cookies below. In addition, we may also collect IP addresses via a web analytics package.

Smart Invest will only ask you to supply personal information and only such information where we believe that it is necessary to provide a service you have applied (or are in the process of applying for), or if it relates to a legal or regulator requirement and only if it is in our clients' interest to do so. For example, we may ask you to provide us with your location prior to entering into a business relationship, if we think that by doing so we can give you a customised product or service, which is compliant with the local legislation or in our opinion better serves the needs of customers from that country, or to provide us your or nationality when you apply for an account as this is a regulatory requirement.

What do we do with your personal Information?

We will use your personal information, and may share your personal information with other third parties acting on our behalf, for one or more of the following purposes:

to administer the service or provide you the product that you signed up to, for example to send you account statements, to manage your personal account page or to process transactions;

to process payments through our partner payment gateways where you already have an account;

to sign you up for receiving market data from exchanges (e.g. NYSE)

to respond to any enquiry or complaint you may make to us in relation to the use of our trading services, for example when contacting our customer support;

to prevent or detect fraud or abuses of our website, for example, by requesting verification information in order to reset your account password (if required);

for market research purposes, where we may contact you to ask for your feedback;

for statistical purposes to better understand our users' needs, behaviour and preferences;

for regulatory and legal compliance purposes;

for our own administrative purposes, including training our staff, conducting internal audits or transferring assets as part of a sale, purchase or investment in the business; and

to provide you with general information about our products and services, e.g. by our newsletter; or to provide you with personalised offers, or information about events or webinars organised by us in line with your contact preferences (only when you have given consent to do so).

If at any time you wish to withdraw your consent to the use of your personal information for marketing purposes, then please access the personal account management area ('Personal Area') on our website and select 'Contact Preferences'. Alternatively, or if you don't have access to the Personal Area, please contact our client services team or email us. You may be required to submit a proof of your identity and sufficient evidence of the information that you want us to change.

Grounds for processing your personal information

To process your personal information lawfully we need to rely on one or more valid legal grounds. The primary legal ground for our processing of your personal information is contractual. We will rely on this legal ground when, for example, you sign up for a product trial, sign up for any of our products and services or provide us your contact details in order for us to provide you more information on our products and services. Other legal grounds we may rely on include:

our legitimate interests as a business (except where your interests or fundamental rights override these). For example, it is within our legitimate interests to use your personal information to prevent or detect fraud or abuses of our website and any other authentication purposes; or

our compliance with a legal or regulatory obligation to which Smart Invest is subject (for example to verify your identity, and any processing that is necessary for opening an account with us); or

based on your consent to process your information (for example where we send you information for

marketing purposes to send you on related goods and services we provide).

Disclosure of your personal information?

There are circumstances where we may wish to disclose or are compelled to disclose your personal information to third parties. For example, we may pass on your data to:

our subsidiaries, branches or associated offices within the Smart Invest LTD;

government institutions, authorities and courts (when legally obliged to do so); and

service providers who are processing the data on behalf of Smart Invest under contractual obligations of confidentiality;

financial institutions and payment providers to facilitate transactions (for deposits and withdrawals);

credit reporting or reference agencies;

These disclosures of personal information will only take place in accordance with the law and for the purposes listed above.

Smart Invest will not sell or otherwise give access to your personal data to any third party for commercial interests or advertising except for the purpose of fulfilling our legal or contractual obligation or where we have your permission.

Automated Decision-Making

As part of deciding your eligibility for opening a trading account, we will apply automated decision-making to calculate an appropriateness score, based on your answers about your financial situation, experience and knowledge. If you think that our decision is incorrect or the information we ask is incomplete, please call our client services team to discuss your individual situation. We will not use automated decision-making for our marketing activities or any other purposes related to the information you provide.

Security of Your Personal Information

Smart Invest will take all reasonable steps to ensure that any personal data that you provide via the website is kept secure. Although we endeavour to protect your personal data, because of the nature of the Internet, we cannot guarantee the security of any data that you transmit to the website. Furthermore, any inward transmission of data, such as email, is carried out at your own risk.

Third party information provided by you

Where you provide Smart Invest with personal information relating to others via the website, for example, your agents or joint account holders for the purpose of opening and administering your account, you confirm that you have their consent or are otherwise entitled to provide this information to us and for us to use it in the ways described in this Privacy Policy.

International transfer of personal data

We may transfer your personal data to a third party in countries outside the UK for further processing in accordance with the purposes set out in this Privacy Policy. In these circumstances we will, as required by applicable law, ensure that your privacy rights are adequately protected by appropriate technical, organisation, contractual or other lawful means.

Retention of your personal information

Your personal information will be retained for as long as it is necessary to carry out the purposes set out in this Privacy Policy (unless longer retention is required by law). However, we will not retain any of your personal information beyond this period and the retention of your personal information will be subject to periodic review. For example, we intend to delete your contact details after two years after your initial request, if we don't hear back from you, unless you have entered into a contract with us in the meantime. If you entered into a business relationship with us, your personal data will be kept for at least seven years after your relationship with us has ended. Call recordings, backed-up and archived data, though not processed anymore and kept in a secure way, may be kept longer than this for technical reasons. We may keep an anonymised form of your personal information, which will no longer refer to you, for statistical purposes without time limits, to the extent that we have a legitimate and lawful interest in doing so.

Your legal rights under data protection law

Data protection law provides individuals with certain rights, including the right to: access, rectify, withdraw consent, erase, restrict, transport, and object to the processing of, their personal information. Individuals also have the right to lodge a complaint with the relevant information protection authority if they believe that their personal information is not being processed in accordance with the law. Further

information about your rights is set out below:

Right of access to your personal information. You can verify some of the personal data that we hold in the Personal Area. Furthermore, you have the right to confirm that your personal information is being processed, to request our legal right to do so and obtain a complete copy of the personal information we hold about you. If you would like to obtain a copy of this information please email us. You may be required to submit a proof of your identity.

Right to rectification. You may request that we rectify any inaccurate and/or complete any incomplete personal information. If you do notice any inaccuracies in your personal information, please notify Smart Invest as soon as possible. We will then correct our records, and notify any third parties to whom such personal information may have been transmitted as described above. If you are unable to change your details through the personal account management section on our website ('Personal Area'), please contact our client services team or email us.

Right to withdraw consent. Where you have provided us prior consent to the processing of your personal data, you may, as permitted by law, to withdraw your consent at any time. Such withdrawal will not affect the lawfulness of processing based on your previous consent and will not affect our processing of your personal information under any other basis of processing (e.g. processing your information for providing you with our products and services). Please note that if you withdraw your consent, you may not be able to benefit from certain service features for which the processing of your personal information is essential.

Right to object to processing. You may, as permitted by law, request that we stop processing your personal information.

Right to erasure. You may request that we erase your personal information and we will comply, unless there is a lawful reason for not doing so. If you terminate a contract with us, we may still retain your personal information if this is necessary to comply with our legal obligations, meet regulatory requirements, resolve disputes, and to prevent fraud and abuse.

Your right to lodge a complaint with the supervisory authority. We suggest that you contact us about any questions or if you have a complaint in relation to how we process your personal information. However, you do have the right to contact the relevant supervisory authority directly. To contact the Information Commissioner's Office in the United Kingdom, please visit the ICO website for instructions.

Linked websites

Please note that any websites that may be linked to our websites are subject to their own privacy policy.

Cookies

This website uses cookies. Cookies are small amounts of information that are stored on your computer to enable our server to collect certain information from your web browser. Cookies in themselves do not identify the individual, just the computer used. Cookies and other similar technology make it easier for you to log on to and use the website during future visits. Our cookies are used to keep track of your online session, they are maintained throughout multiple sessions on the site. Our cookies do not collect any personal identifying information or confidential information such as passwords or policy numbers. Most browsers are initially set to accept cookies, but you can alter this if you prefer. However, if you disable session cookies some parts of our website will not function as designed. For more information about our use of cookies, please refer to the Cookie Privacy notice on our website.