

Terms and conditions

# Security and privacy

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# Security and privacy

The Deriv Group follows applicable data protection laws in full. In keeping with these regulatory measures, we use your personal data according to the principles of fair, lawful, and transparent information processing. Here you will find the terms and conditions that deal more specifically with our security and privacy policy and the way we use cookies.

## 1. Collection and use of information

- 1.1. When you open a Deriv account via our website, we require you to provide your personal information in the account opening form. This may include personal information like your name, address, email address, telephone number, and date of birth. In all instances, it is necessary for you to provide us with such personal information so that you can enter into a contract with us and enable us to provide our services to you and fulfil our legal obligation. If you do not provide us with the required information, we shall not be able to offer you our services.
- 1.2. We use your personal information for the following purposes:
  - 1.2.1. Processing your account registration and helping you manage your account
  - 1.2.2. Processing your trades and transactions
  - 1.2.3. Verifying that you are the legitimate account owner and proper recipient of withdrawal payments
  - 1.2.4. Assisting you with any queries about our products and services
  - 1.2.5. Providing you with advertising communications and notifications about your account and our services
  - 1.2.6. Filling in all the legal and regulatory obligations that we have, including licensing requirements, anti-fraud requirements, and anti-money laundering laws
  - 1.2.7. Analysing user trends to identify how we can improve our products and services
- 1.3. We reserve the right to ask you for further information whenever needed. For example, we may ask you to send us additional acceptable documents to confirm the authenticity of your account details or any withdrawal request.
- 1.4. You agree that when you use the Live Chat feature on our website and applications, all personal information that you enter in the chat channel, including but not limited to your first name and email address, is processed by us and stored in our databases.
- 1.5. We hold all the personal data that we collect from you with due diligence and only process them for purposes that are required or allowed by law. This includes, but is not limited to, obtaining and sharing certain information with third parties for credit or identity checks to follow legal and regulatory obligations. In some cases, we may process your data so that we can carry out our obligations to you.
- 1.6. You may update your personal information at any time by logging in to the Settings section of your account. It is your responsibility to make sure that we are immediately informed of any changes in your personal information.

You should note that if you provide us with inaccurate information, or if you fail to notify us of any changes to the information you had given us, this may affect the quality or availability of our services to you.

- 1.7. We may transfer relevant personal and financial data to any company within the Deriv Group of companies where it is necessary for the performance of a contract with you related to our services.

## **2. Profiling and categorisation**

- 2.1. We reserve the right to use the data that we collect and assess to profile you in relation to our products. We do this manually with the assistance of automated processing. In this way, we shall be able to provide you with the most appropriate products and services.

## **3. Transfer of data**

- 3.1. We may transfer relevant personal data to any company within Deriv Group Ltd where it is necessary for the performance of a contract with you related to our services.
  - 3.1.1. We may need to transfer your personal data to any of our business associates or payment providers within or outside of the European Economic Area (EEA), including countries that might not offer an equivalent level of protection of personal data, for the purpose of processing by third parties.
  - 3.1.2. We may also transfer your data to third parties outside the EEA for content delivery services, customer relationship management services, and communication and marketing services.
  - 3.1.3. In all instances, we take all reasonably necessary steps to ensure your personal data is treated securely and in accordance with this privacy policy and in compliance with any applicable data protection laws. These steps may include placing a contractual obligation on third parties or ensuring that third parties receiving your data are certified under an approved certification mechanism.

## **4. Access to data**

- 4.1. If a law or regulation or the order of a court of a competent jurisdiction or a governmental or law enforcement agency requires us to disclose your personal or financial information, we shall promptly notify you, as deemed appropriate, to give you the opportunity to seek protection for the information for which disclosure is sought unless we are legally prohibited from doing so. Any such disclosure shall not be interpreted as a breach of these terms and conditions.

## **5. Data retention**

- 5.1. We keep your information for the whole duration of your subscription with us. If you choose to close your Deriv account, your data will be kept only until our legal and regulatory obligations on data retention are met. We shall delete your data when the applicable retention period expires. The criteria we use for determining the retention period for your personal data will be any applicable regulatory requirements or legal obligations, including tax, financial, and anti-money laundering laws, or to establish or defend potential legal claims.

## 6. Your rights

- 6.1. You may find below a list of your legal rights regarding your personal data, not all of which may be applicable to you at any one time:
  - 6.1.1. Right of access to your personal data: this enables you to request and receive a copy of all the personal data we hold about you.
  - 6.1.2. Right of rectification: that is to request the correction of any personal data that we hold about you and are either inaccurate or incomplete.
  - 6.1.3. Right to erasure: that is the right to obtain the erasure of your personal data, provided, among others, the personal data in question are no longer necessary in relation to the purpose for which they were collected.
  - 6.1.4. Right to restriction and right to object: you have the right to restrict our processing activities or to object to the processing of your personal data.
  - 6.1.5. Right to data portability: that is to request a copy of your personal data in a digital format and, where possible, ask us to transfer it to another company.
- 6.2. The right to erasure is not an absolute right. We have to comply with retention requirements set out on any applicable laws, including financial regulations and anti-money laundering laws.
- 6.3. You can make any of the requests set out in 6.1. above by emailing our data protection officer directly at [dpo@deriv.com](mailto:dpo@deriv.com) or by using the contact details on our [Contact us](#) page.
- 6.4. If you are unhappy with how we handle your personal data, you can file a complaint with us. If you are not satisfied with the outcome of our internal complaints procedure, or if you consider that your complaint has not been handled correctly, you may lodge a complaint to our lead supervisory authority on data processing practices, as previously explained in more detail in the section entitled [Complaints and disputes](#).

## 7. Marketing

- 7.1. You have the right to opt out of receiving marketing materials from us. This can be done by either not providing your consent to receive marketing materials when opening an account with us or by revoking it at any point during the period that you hold an account with us. In both cases, we shall not send any marketing materials to you.

## 8. Security statement

- 8.1. We make sure that your personal data and transactions are secure by taking the following measures:
  - 8.1.1. Your password and login ID are unique and passwords are hashed so that even our staff cannot read them. As such, we cannot retrieve your password if you cannot recall it. Instead, we will send you a link to set a new password yourself.
  - 8.1.2. All credit card details are submitted directly to the Visa/Mastercard network using the latest SSL encryption technology in accordance with bank policies.
  - 8.1.3. Access to your personal data is strictly prohibited for all Deriv staff, with the exception of key Deriv personnel only in circumstances where this is required for the proper performance of their duties.
  - 8.1.4. Our information security policies are based on industry best practices in access control and business continuity.

- 8.1.5. On a best-effort basis, we try to verify your identity and implement measures to detect fraud to help protect you from unauthorised access to your account. We also monitor account activity for signs of unusual activity that might indicate fraud. We work with the collection and law-enforcement agencies in case of fraud issues.
- 8.1.6. It is your responsibility to maintain the security of your login details, any linked email address, and any personal computer or device on which your account is accessible (for example, by password protection, and screen locking). We shall not be held responsible for any unauthorised use of your account when we are not at fault.
- 8.1.7. Whether you use a shared device or your own device in a public place either offline or on public WiFi, doing so might put the information that you enter or receive in danger of being captured. To protect your data in such cases, it is solely your responsibility to take the following precautions and educate yourself on other security measures you can take:
  - 8.1.7.1. Do not send or receive private information unless you are using a secure webpage (preferably, use a secure, encrypted Virtual Private Network (VPN).
  - 8.1.7.2. Make sure that you have effective and updated antivirus/antispymware software and firewall running before you use public WiFi.
  - 8.1.7.3. Do not leave your device unattended.
  - 8.1.7.4. Avoid financial transactions that might reveal valuable passwords or personal information such as credit card numbers.
  - 8.1.7.5. Use the browser tools to delete files and cookies and clear your browsing history.
  - 8.1.7.6. Do not save your login credentials on a shared device.
  - 8.1.7.7. Always log out of account-based websites at the end of the session.
  - 8.1.7.8. You must notify us immediately if you become aware that your login details have been lost, stolen, or otherwise disclosed to third parties.

## 9. Cookies and related technologies

- 9.1. Cookies are small text files stored on computer drives and are widely used to improve website functionality and user experience. All recent versions of browsers give you a level of control over cookies. You can delete all cookies that are already on your computer, and the browser can be set to prevent them from being placed. However, choosing not to accept our cookies may affect the quality and usability of our products and services.
- 9.2. You should note that our website generates log files that record the IP addresses of accesses to your account, login attempts, and device information such as the manufacturer, model, operating system, and browser. We gather this information to help us investigate your account in the unlikely event that it is accessed by unauthorised users. Information supplied by certain cookies also helps us understand how visitors use our products and services so that we can improve them.
- 9.3. Our cookies are not considered dangerous and are not designed to access any other information on your computer.
- 9.4. We use the following types of cookies, after having received your consent where this is required:
  - 9.4.1. Strictly necessary cookies: These cookies are necessary for the operation of the website. They include, for example, cookies that enable you to navigate our website and log into your account.
  - 9.4.2. Functionality cookies: These cookies are used to enhance the functionality of our website by allowing us to remember your preferences.

- 9.4.3. Third-Party targeting cookies: These cookies are used to deliver adverts that are more relevant to you. They allow you a better experience when using other third-party websites that include social media sites in conjunction with our website. Cookies used for this purpose are placed on our website by third-party advertising networks on our behalf and with our permission.
- 9.5. In addition to cookies, we may also use other similar technologies on our websites, such as web beacons and pixels to help us customise our websites and improve your experience. Web beacons and pixels usually take the form of a small, transparent image that is embedded in the website or in an email. They are used to track the number of users who have visited particular pages and acquire other statistical data. They collect only a limited set of data, such as cookie number, time, and data of the page viewed, and a description of the page on which they reside.
- 9.6. By accepting our use of cookies, you consent to the use of all types of cookies described in this policy. If you reject the use of cookies, only those that are necessary for the website's functioning will be used, but this might have a negative effect on our services to you.

## **10. Links to other websites**

- 10.1. Our website contains links to other websites and may contain banner or icon advertisements related to third-party websites. These websites and their advertisements may submit cookies to your web browser, which is beyond our control. We are not responsible for the privacy practices or the content of such websites. We encourage you to read the privacy policies of these websites because their practices may differ from ours.

