



## Introduction

Welcome to Mercore's privacy policy.

Mercore respects your privacy and is committed to protecting your personal data. This privacy policy (together with our SaaS Terms of Service Agreement (Beta Version)) applies to your use of the Platform and your use of our website (regardless of where you visit it from) and tells you about your privacy rights and how the law protects you.

## 1. IMPORTANT INFORMATION AND WHO WE ARE

### Purpose of this privacy policy

This privacy policy aims to give you information on how Mercore collects and processes any personal data we collect from you (either directly or via third parties), or that you provide to us through your use of our Platform or this website.

We may receive your personal data via the following routes: (i) **Direct interactions.** You may give us your Identity, Contact and Financial Data by registering as a User on our Platform; (ii) **Automated technologies or interactions.** As you interact with our Platform and website, we will automatically collect Technical, Profile and Usage Data about your equipment, browsing actions and patterns; [and (iii) **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources.] Further details on the ways in which we may receive your personal data is set out in section 3 below.

This website is not intended for children, and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

### Controller

Mercore Limited is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy policy).

[We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the DPO using the details set out below.]

### Contact details

If you have any questions about this privacy policy or our privacy practices, please contact us in the following ways:

Full name of legal entity: Mercore Limited

Email address: [●]

Postal address: 7 Bell Yard, London, England, WC2A 2JR

Telephone number: [●]

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review. It may change and if it does, these changes will be posted on this page and, where appropriate, notified to you by email or when you next log onto our Platform. The new policy may be displayed on-screen, and you may be required to read and accept the changes to continue your use of the Platform.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### [Third-party links

This website and our Platform may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our Platform and/or website, we encourage you to read the privacy policy of every website you visit.]

## 2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows: *[DRAFTING NOTE TO MERCORE: PLEASE DELETE OR ADD TO THIS LIST AS APPROPRIATE]*

- **Identity Data** includes [first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender].
- **Contact Data** includes [billing address, delivery address, physical address(es), postcode, email address and telephone numbers].
- **Financial Data** includes [bank account details and payment card details].
- **Transaction Data** includes [details about payments to and from you and other details of products and services you have purchased from us].
- **Technical Data** includes [internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our Platform or this website].
- **Profile Data** includes [your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses].
- **Usage Data** includes details of your use of our Platform or website.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

## 3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

**Direct interactions.** You may give us your Identity, Contact and Financial Data by registering as a User on our Platform, uploading documentation to the Platform or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- create an account on our Platform;
- subscribe to our service or publications;
- request marketing to be sent to you; or
- give us feedback or contact us.

**Automated technologies or interactions.** As you interact with our Platform and website, we will automatically collect Technical, Profile and Usage Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, usage and feedback logs and other similar technologies. If you supply us with financial documents through our Platform, you should be aware that we may also collect Transaction Data. We may also receive Technical Data about you if you visit other websites employing our cookies.

**Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:

- Technical Data from the following parties:

[•]

## Cookies

You can set your browser 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 this website may become inaccessible or not function properly. For more information about the cookies we use, please see [\[INSERT LINK\]](#).

## 4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to do so. Most commonly, we will use your personal data in the following circumstances:

- Where you have consented before the processing.
- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

We will only send you direct marketing communications by email if we have your consent or where we have previously given you an opportunity to object to the provision of direct marketing by email in the course of a sale or negotiations for sale of a product or service with you and you have not objected. Where the latter occurs, we will only send you marketing communications about the same or similar products and services which we feel may be of interest to you. You have the right to withdraw consent and/or indicate you no longer wish to receive marketing communications from us at any time by contacting us.

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

## Opting out

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you **or** by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of service purchase or other transactions.

## Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

*[DRAFTING NOTE TO MERCORE: PLEASE DELETE OR ADD TO TABLE BELOW AS APPROPRIATE]*

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
Registration of User account on Platform.	(a) Identity (b) Contact (c) Technical (d) Profile	Your consent.
Uploading User content to User account for use of the Platform in the performance of the Services.	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Technical	(a) Your consent. (b) Performance of a contract with you. (c) Necessary for our legitimate interest.
To share analytics and processing results with you and Third Parties e.g transaction counterparties.	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Your consent. (b) Performance of a contract with you.
To manage our relationship with you including notifying you of changes to the Services.	(a) Identity (b) Contact (c) Marketing and Communications	(a) Your consent. (b) Performance of a contract with you. (c) Necessary for our legitimate interest. (d) Necessary to comply with legal obligations.
Storing and using data to improve our data models and algorithms.	(a) Financial (b) Transaction (c) Technical	Necessary for our legitimate interests (to train and improve the accuracy of our data models and analytics and to improve our Services).
To administer and protect our business and our software including troubleshooting, data analysis and system testing.	(a) Identity (b) Contact (c) Technical (d) Usage	Necessary for our legitimate interests (for running our business, provision of administration, IT services and network security).
To monitor trends so we can improve Services.	(a) Identity	(a) Your consent.

	(b) Contact (c) Technical (d) Profile (e) Usage (f) Marketing and Communications	(b) Necessary for our legitimate interests (to develop our Services, define types of customers for our products and Services, to develop our business and to inform our marketing strategy).
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#### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **5. DISCLOSURES OF YOUR PERSONAL DATA**

We may share your personal data with the parties set out below for the Purposes set out in the table above.

Internal Third Parties as set out in the Glossary.

External Third Parties as set out in the Glossary.

Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **6. INTERNATIONAL TRANSFERS**

We do not transfer your personal data outside the UK.

### **7. DATA SECURITY**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

### **8. DATA RETENTION**

#### **How long will you use my personal data for?**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## **9. YOUR LEGAL RIGHTS**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful, but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

## What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## 10. GLOSSARY

### LAWFUL BASIS

**Consent** means that you have given us permission (your consent) to process your personal data for one or more specific purposes.

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

### THIRD PARTIES

#### Internal Third Parties

- Other companies in the Mercore Group acting as joint controllers or processors and who are based in the United Kingdom or EEA.
- [●]

#### External Third Parties

- [●]

**Platform** means a web-based platform which offers Services that allows for the centralisation of a User's Know-Your-Customer information. The Platform can be accessed by Users and transaction counterparties via a portal.

**Services** means the specific proprietary software-as-a-service product(s) of ours specified in an order form, including any related documentation, and excluding any third-party products.

**User** means you and/or the named users authorised by you to use the Services in accordance with the terms of our SaaS Terms of Service Agreement (Beta Version).