

Swapsicle

FAIR PROCESSING NOTICE

1. About this notice

This fair processing notice ("**Notice**") explains how and why the Swapsicle Foundation (a limited company with a registered address t/a Swapsicle (also referred to as "**COMPANY**", "**we**", "**our**" and "**us**") uses personal data about those individuals that either:

- communicate with us in relation to the de-centralised exchange (DEX) we are initiating and will administer, and other related matters; or
- use our website and mobile app swapsicle.io (the "**Website**") in relation to the above;

(in each case, referred to as "**you**").

You should read this Notice, so that you know what we are doing with your personal data. Please also read any other privacy notices that we make available to you, that might apply to our use of your personal data in specific circumstances outside the scope of this Notice, which primarily concerns our processing of your personal data in relation to or in connection with the DEX.

2. Our data protection responsibilities

In this notice we refer to the following terms, which have the following meanings:

- "**Personal data**" is any information that relates to an identifiable natural person. Your name, address and contact details are all examples of your personal data, if they identify you.
- The term "**process**" means any activity relating to personal data, including, by way of example, collection, storage, use, consultation and transmission.
- COMPANY is a so-called "**controller**" of your personal data. This means that we make decisions about how and why we process your personal data and, because of this, we are responsible for making sure it is used in accordance with applicable data protection laws.

3. What types of personal data do we collect and where do we get it from? ¹

We collect your personal data from various sources. The table below sets out the different types of personal data that we collect and the sources we collect it from. Typically, you provide us with personal data directly when you communicate with us (including via the Website or wallets used with the DEX).

¹ Please review the below table very carefully and confirm if anything is not accurate or if there are any categories of personal data in connection with the DEX that have not been included here.

The list should be as comprehensive as possible.

We also obtain some personal data from other sources, and create some personal data ourselves, as set out in the table.

Category	Type of personal data	Collected from
Contact Information	<ul style="list-style-type: none"> • Name/user name • Address • Telephone number • Email address • Organisation details (eg your place of work, job title and organisation contact information) • Your marketing preferences 	<ul style="list-style-type: none"> • You²
Wallet Information	<ul style="list-style-type: none"> • [Ethereum] wallet addresses • Interactions with the Website 	<ul style="list-style-type: none"> • You • Service providers of the [Ethereum] wallet
Website Information	<ul style="list-style-type: none"> • Contact Information (see above) • IP address and other online identifiers / web beacons • Usernames, passwords and other log-in details • Details of your online browsing activities on our website, such as the pages, products or areas of our website that you visit • Your account settings including any default preferences, any preferences we have observed, such as the types of offers that interest you, or the areas of our website that you visit • Development information including any test or trouble shooting information generated in relating to testing or developing the Website or responding to a support query. 	<ul style="list-style-type: none"> • You • Device used to access the Website • Our Website • Our developers
Social media Information	<ul style="list-style-type: none"> • Contact Information (see above) • Communications via social media 	<ul style="list-style-type: none"> • You • Social media providers

Please be aware that we cannot communicate with you or administer any transactions without your personal data. Where we don't need your personal data, we will make this clear, for instance we will

² Included in case there are any queries raised via the website

explain if any forms you are required to complete are optional or contain sections that can be left blank.

If any of the personal data you have given to us changes, such as your contact details, please inform us without delay by contacting tom@swapsicle.io.

4. **What do we do with your personal data, and why?**³

We process your personal data for particular purposes in connection with your engagement with us, and the management and administration of our business.

We are required by law to always have a so-called “*lawful basis*” (i.e. a reason or justification) for processing your personal data. The table below sets out the purposes for which we process your personal data and the relevant lawful basis on which we rely for that processing.

Please note that where we have indicated in the table that our processing of your personal data is either:

- (a) necessary for us to comply with a legal obligation; or
- (b) necessary for us to take steps, at your request, to potentially enter into a contract (including for transactions) with you, or to perform it,

if you choose not to provide the relevant personal data to us, we may not be able to accept your transactions or otherwise provide our services to you.

Lawful basis				
Purposes of processing	Your consent	To perform a contract with you	To comply with a legal obligation	For our legitimate interests
Contact Information				
a) Responding to your communications with us		✓		✓ (It's important that we can respond to your enquiries, complaints or other communications)
b) Notifying you in relation to your proposed transaction				✓ (It's important that we keep you informed of

³ Please review the below table very carefully and confirm if anything is not accurate or if there are other uses of personal data in connection with the DEX that have not been included here.

The list should be as comprehensive as possible.

Purposes of processing	Lawful basis			
	Your consent	To perform a contract with you	To comply with a legal obligation	For our legitimate interests
				matters related to your transactions)
c) Sending you information as set out in the section "How do we communicate with you?", below	✓			✓ (It is important to keep you updated of our services)
Website Information				
d) Ensure the operation and performance of the Website				✓ (We need to ensure the Website functions correctly)
e) To improve the functionality of the Website				✓ (It is in our interest to keep the Website up to date and improve its functionality for the benefit of users)
f) To enable your [Ethereum] wallets to interact with the Website		✓		✓ (It is in our interests to facilitate interactions with wallet holders)
Wallet Information				
g) Providing you with transaction information via the blockchain		✓		
h) Processing interactions via your [Ethereum] wallet with the Website		✓		
Social media Information				
i) Business development and profile raising				✓ (It is in our interest to attract new customers and raise the Website's

Purposes of processing	Lawful basis			
	Your consent	To perform a contract with you	To comply with a legal obligation	For our legitimate interests
				profile and take up of our services)
General – all data				
j) For our general record-keeping and customer relationship management		✓		✓ (We may need to store customer information so we can respond to queries or help with support)
k) Managing the proposed sale, restructuring or merging of any or all part(s) of our business, including to respond to queries from the prospective buyer or merging organisation			✓	✓ (We have a legitimate interest in being able to sell any part of our business)
l) Resolving any complaints from or disputes with you		✓		✓ (We need to be able to try and resolve any complaint or dispute you might raise with us)
m) Complying with instructions from law enforcement agencies, any court or otherwise as required by law			✓	
n) Sending email marketing communications	✓			✓ (where you are an existing customer, we have a legitimate interest in being able to inform you or new products, services or updates)

We may also convert your personal data into statistical or aggregated form to better protect your privacy, or so that you are not identified or identifiable from it. Anonymised data cannot be linked back to you. We may use it to conduct research and analysis, including to produce statistical research and reports. For example, to help us understand the input spread of our customers.

Where you have consented or we are otherwise lawfully entitled to send you electronic marketing communications, we will do so from time to time to inform you of updates regarding our products or services or to provide you with other information we believe may be of interest. You may opt out from receiving these communications at any time by following the instructions in those communications or contacting us at tom@swapsicle.io.

5. **Sensitive Information**

We do not anticipate that we will process any sensitive information or special categories of data such as data relating to race, health, political opinions or, sexual orientation or data relating to criminal offences.

6. **Who do we share your personal data with, and why?**

Sometimes we need to disclose your personal data to other people.

Inside the COMPANY Group: ⁴

We are part of a group of companies. Therefore, we will need to share your personal data with other companies in our group for our general business purposes, to manage your transactions and, in some cases, for authorisations/approvals with relevant decision makers, reporting and where systems and services are provided on a shared basis.

Access rights between members of our group are limited and granted only on a need to know basis, depending on job functions and roles.

Service providers outside the COMPANY Group

From time to time we may ask third parties or contractors to carry out certain business functions for us, such as IT support and Website development. These third parties will process your personal data on our behalf (as our processor). We may disclose your personal data to these parties so that they can perform those functions. Before we disclose your personal data to these third parties, we will seek to ensure that they have appropriate security standards in place to protect your personal data. Examples of these third party service providers include service providers and/or sub-contractors, which include IT systems software and maintenance, development, back up, and server hosting providers.

In certain circumstances, we will also disclose your personal data to third parties who will receive it as controllers of your personal data in their own right, where:

- (a) they are third party wallet providers instructed by you to interact with the DEX or our Website, whereby your personal data will be shared with the third party third

⁴ We have endeavoured to keep this fairly generic but please let us know if this is not accurate or if there is further detail that you would prefer to include. We're not aware if this is relevant.

party wallet provider, so that interactions with our DEX and Website can be carried out;

- (b) we buy, sell or transfer our business (or part of it) in connection with a share or asset sale or outsourcing, we may disclose or transfer your personal data to the prospective seller, buyer or transferor and their advisors; and
- (c) we need to disclose your personal data in order to comply with a legal obligation, to enforce a contract or to protect the rights, property or safety of our employees, customers, investors or others.

We have set out below a list of the categories of recipients with whom we are likely to share your personal data:⁵

- (a) IT support, platform developers, shared drive cloud platform and data hosting providers;
- (b) third party wallet providers;
- (c) consultants and professional advisors including legal advisors and accountants;
- (d) courts, court-appointed persons/entities, receivers and liquidators; and
- (e) governmental departments and statutory and/or regulatory bodies.

7. **Where in the world is your personal data transferred to?**⁶

We may transfer your personal data to external recipients that are established in jurisdictions other than your own.

Please be aware that the data protection laws in some jurisdictions may not provide the same level of protection to your personal data as is provided to it under the laws in your jurisdiction.

We will always seek to ensure that adequate protections are put in place when transferring your personal data from within to outside the UK or European Economic Area. For more information regarding the transfers undertaken by us and the protections put in place, please contact us using the details set out at the end of this Notice.

⁵ Please check the below list and confirm if anything is not accurate or if there are other categories of recipient which ought to be included.

You will need to be comprehensive.

⁶ We have assumed that personal data is transferred outside the EEA (e.g. to wallet providers located in other jurisdictions or data hosting located in other jurisdictions).

However, if this is not the case, please let us know.

8. **How do we keep your personal data secure?⁷**

We will take specific steps (as required by applicable data protection laws) to ensure we take appropriate security measures to protect your personal data from unlawful or unauthorised processing and accidental loss, destruction or damage.

9. **How long do we keep your personal data for?**

We will only retain your personal data for a limited period of time (for example, for so long as you are a customer with us plus a period of time following, based on the factors below), and for no longer than is necessary for the purposes for which we are processing your personal data. This will depend on a number of factors, including:

- (a) any laws or regulations that we are required to follow;
- (b) whether we are in a legal or other type of dispute with each other or any third party or are liaising regarding an outstanding query;
- (c) the type of information that we hold about you; and
- (d) whether we are asked by you or a regulatory authority to keep your personal data for a valid reason.

10. **How do we communicate with you?**

We will use your personal data to communicate with you:

- in relation to any transaction you make and to remind you when the token pre-sale is open;
- to administer our relationship with you;
- to respond to any questions or complaints that you may have; and
- to invite you to take part in market research or request feedback on our products and services.

From time to time and with your consent (where required), we will provide you with information about our DEX, token sales, services, promotions and/or offers which may be of interest to you.

Where you have subscribed to our online newsletter, we will also provide a copy by email.

Please note that you may opt-out of receiving the newsletter and any other marketing materials that we send you, by unsubscribing.

⁷ There is technically no requirement to include this in the Notice but individuals will expect to see some assurances as to the security of their data.

The wording we have included effectively summarises the requirements under the GDPR that COMPANY will be required to comply with in any case – so it does not place COMPANY under any additional obligations.

However, if you would prefer not to give any such assurances, this can be removed.

11. **What are your privacy rights and how can you exercise them?**

Where our processing of your personal data is based on your **consent** (please see the tables above), you have the right to withdraw your consent at any time. If you do decide to withdraw your consent we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know.

Where our processing of your personal data is based on the **legitimate interests** (please see the tables above), you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.

Where we are processing your personal data for **direct marketing** purposes, you have the right to object to that processing.

You have the right to (subject to applicable laws and certain limitations):

- (a) access your personal data and to be provided with certain information in relation to it, such as the purpose for which it is processed, the persons to whom it is disclosed and the period for which it will be stored;
- (b) require us to correct any inaccuracies in your personal data without undue delay;
- (c) require us to erase your personal data;
- (d) require us to restrict processing of your personal data;
- (e) receive the personal data which you have provided to us, in a machine readable format, where we are processing it on the basis of your consent or because it is necessary for your contract with us (please see the tables above) and where the processing is automated; and
- (f) object to a decision that we make which is based solely on automated processing of your personal data (however, we do not currently conduct any such decision making).

If you wish to exercise any of these rights please contact Tom@swapsicle.io in the first instance.

You may also have the right to lodge a complaint with the relevant data protection regulator (for example the Information Commissioner's Office in the UK).

12. **Updates to this Notice**

We may update this notice from time to time to reflect changes to the type of personal data that we process and/or the way in which it is processed. We will update you on material changes to this notice.

We also encourage you to check this notice on a regular basis – updated copies can be found at: swapsicle.io⁸

13. **Where can you find out more?**

If you want more information about any of the subjects covered in this Notice or if you would like to discuss any issues or concerns with us, you can contact Tom@swapsicle.io.

⁸ It is recommended that you include a copy of this notice somewhere that is easily accessible to investors e.g. on a webpage – here you can save all the version for the Notice so that individuals can refer back to previous versions where relevant to them.