

ORFINEX

Privacy Policy

Updated: Dec 31st, 2023



Protecting your privacy and personal and financial data is one of our top priorities at Orfinex.

Important information:

This privacy agreement is made between Orfinex (hereafter the “Company”) , operating under the trade name Orfinex Prime Ltd, and the Client who has completed a registration form on website. Orfinex Prime Ltd is licensed by the Financial Services Commission in Mauritius, with a Global Business License registration number GBC196665. The company's registered address is located at 6th Floor, Ken Lee Building, 20 Edith Cavell Street, Port Louis, Mauritius.

Orfinex Prime Ltd also owns Orfinex Prime Pty Ltd, which is a Corporate Authorized Representative holding an Australian Financial Services License issued by the Australian Securities and Investments Commission (ASIC), with AFSR no. 001306799 having physical office address at Suite 1304, 530 Little Collins Street, Melbourne, VIC, Australia, 3000.

The relevant Orfinex Entity that provides services to you or is in electronic communication with you will have control over your personal data. In certain cases, your personal data may be controlled by and exchanged between multiple Orfinex Entities. If you have any inquiries regarding the use of your personal data, please send them to support@orfinex.com.

Basic Statement about Privacy

In this privacy statement, the term "personal data" or "personal information" is used to refer to your data. We may also use the term "processing" to describe the actions of handling collectively, collecting, protecting, and storing your personal data. Personal data refers to any information that is related to you and can identify you, such as your name, address, or identification number.

Orfinex is dedicated to ensuring the security of your privacy and the responsible handling of your personal data. We strive to be transparent and respectful of the privacy of all users who visit our site(s). Our Privacy policy aims to clarify how we safeguard your personal and financial information. We will only utilize your information in accordance with the guidelines outlined in our Privacy policy.

This document will provide you with a clear understanding of the following:

- The personal information we gather and handle about you as a customer and when you use our website, mobile apps, and online services.
- The reasons for collecting and processing your data.
- The methods used by the Company to gather and handle your personal information..
- Where do we acquire the data from?.
- How and at what time do we disclose your personal information to other third parties, such as our service providers or suppliers?

This document is intended for individuals who are currently or potentially customers of the Company, or who are authorized representatives, agents, or beneficial owners of legal entities or individuals who are currently or potentially customers of the Company.

Types Of Processed Data

Personal data refers to any information that can be used to identify an individual. This may include details such as their name, contact information, and payment details.

We gather and handle various forms of personal information that we obtain from our customers (both potential and existing) within the scope of our business association.

We may gather the following categories of data:

- The information required for creating your account typically includes your Name, residential address, email address, phone number, date of birth, city and country of birth, any prominent public positions held (for PEPs), FATCA/CRS information, passport or other officially recognized personal identification details, and debit card number.
- The information required for funding your account typically involves providing your credit/debit card details or other payment information such as IBAN number and SWIFT codes.
- The information you provide us regarding your financial situation and background. This typically encompasses your educational background, current employment status, income and total assets, as well as your previous experience with other investment services.
- The information required by our AML/KYC department for verifying your identity and residence typically includes scanned copies of your identification document, proof of

address (such as a utility bill), and scanned copies of your credit/debit card(s).

- The information and documents you provide upon request from our AML department regarding the origin of your funds. This encompasses all the details and records you submit, typically including bank statements, pay slips, shareholder certificates, dividend certificates, and so on.
- The messages you send to us or communicate with us through letters, emails, chat service, phone calls, and social media.
- The information obtained from our thorough due diligence investigation on you typically comprises details regarding any reported criminal activities or convictions, your role in a government position, and any other information that is publicly accessible.

Your responsibility to furnish us with your data

Your submission of the requested data is crucial for the Company to establish and validate the contractual relationship with you. It is mandatory for you to provide us with the necessary personal data in order to initiate and conduct a contractual business relationship between us, and to fulfill the contractual responsibilities of both parties.

To maintain your access to the Company's services and adhere to applicable AML/CTF laws and regulations, it is essential for you to furnish us with certain personal details. This is necessary to confirm and authenticate your identity, as well as perform any required due diligence or enhanced due diligence, if applicable, to fulfill our AML obligations.

If you fail to provide us with the requested data, it will not be possible to start or continue our business partnership.

What is the reason for this?

We adhere to the de minimizes principle when processing your data, meaning we only deal with the necessary information needed for a lawful purpose. For instance:

- To meet the services you have requested, such as account setup and order processing.
- Evaluation of the appropriateness of the financial instrument offered to you.
- Executing funding or defunding operations on your account, as per your instructions or

the outcomes of your investments, in order to perform payment functions.

- In order to maintain communication with you and provide Customer Support services to resolve any concerns and enhance your overall customer experience.
- We handle various administrative duties like maintaining our internal records to ensure that your account is up to date in our systems, resolving any issues that arise, and organizing records efficiently.
- Your debit card will be used for accounting, billing, and auditing reasons, as well as to detect and prevent any occurrences of fraudulent activity.
- Checks and assessments conducted to prevent money laundering and the financing of terrorism.
- Market abuse checks and evaluations involve conducting assessments to detect and prevent any unlawful activities or manipulations occurring within the financial markets.
- General strategies to deter crime and/or cooperate with competent authorities.
- The content is to be rephrased for tax reporting purposes.

We will only use your personal data if we have a legal reason to do so. The legal reason may differ depending on why we need to use your personal data. We may use your personal data if the use is based on one or more of the following legal reasons:

Process data: legal obligation.

Most of the data we handle falls under this category due to legal requirements. Our operations are governed by a legal framework that obliges us to process personal data for purposes such as identity verification, compliance with court orders, tax regulations, reporting obligations, and anti-money laundering measures. We have to adhere to various legal obligations imposed by relevant laws and statutory requirements applicable to our organization.

Your data may be processed in accordance with the Money Laundering Law, Tax laws, the Law on Deposit Guarantee and Resolution of Credit and Other Institutions Scheme, and the Payments Law.



Processing needed for contract performance.

We need to process your data in order to provide the services you have requested from us through the establishment of a contractual agreement. The processing of personal data is necessary for offering and carrying out the financial services and transactions outlined in the contract we have made with you.

The processing might also be required to fulfill our acceptance process in order to establish a contractual agreement with potential customers.

You've consented to us using your data for a purpose.

Typically, this consent will be used to send you marketing communications, news emails, financial market updates, and announcements that may be of interest to you.

Revoking your consent to this processing is possible, but it will not have any retroactive effect.

Processing necessary for legitimate investment firm interests.

The utilization of your data is essential for protecting a valid interest in its usage. Typically, these interests encompass risk management, legal defense, security measures, business growth, and crime prevention for the Company.

Your fundamental rights and freedoms shall not be violated by the utilization of your data in this situation.

We will primarily collect data from you through our website forms, email, or any other communication method that you prefer and we agree to accept.

We will obtain most of the data directly from you, either through the forms on our website, email, or any other communication method that you choose to use and we agree to accept.

We have the legal right to gather and are authorized to handle personal information obtained from publicly accessible sources like National Company Registrars, National Land Registries, Bankruptcy Archives, commercial registers, the press, media, and the Internet.

How Long?

The duration for which we retain your data is mainly determined by the retention regulations imposed on us by the relevant legislation. We are legally obligated to store your data for a specific period of time. It is not feasible to delete the data before this period expires.

We will retain your data for a maximum of 10 years starting from the day you create your account (with a possible deviation of 1 year) unless there are legal or regulatory restrictions that prevent us from deleting the data.

Your data will be securely deleted and/or destroyed when possible, ensuring it cannot be recovered. We will not inform you about the deletion since we won't have any means to contact you.

If we remove any identifying information from your personal data and it can no longer be linked to you or used to identify you, it will not be classified as personal data according to the Law's definition. In such cases, we may retain this information without providing you with any additional notification.

Who?

Your personal data may be shared within different departments of the Company if there is a legitimate need for processing it.

Your data may be shared with external service providers by the Company, but only if it is necessary and supported by a valid legal basis as explained in this document.

Service providers must have contracts with the Company and are obligated to adhere to the same confidentiality and data protection regulations as the Company.

Your personal information might be shared with the following entities:

- Supervisory, regulatory and public authorities, including courts of justice, law enforcement authorities and other governmental bodies.
- Financial institutions, payment service providers, card payment processors, correspondent banks.
- Information aggregation agencies for Anti Money-Laundering and Counter-Terrorist Financing.
- Legal counsel and consultants.

- Auditors and accounting consultants.
- Administrative service providers.
- Marketing and customer support service providers.

We have the authority to reveal your personal information if it is mandated by laws and regulations, or if we believe that disclosure is necessary to safeguard our rights or comply with a legal proceeding, court order, or served legal process. We cannot be held responsible for any misuse or loss of personal information caused by cookies on websites that we do not have access to or control over. We are not accountable for any unlawful or unauthorized use of your personal information resulting from the negligent or malicious misuse or misplacement of your passwords.

Automated Decision-making And Profiling

Your data is typically not automatically processed, and no decisions are made based on automated processes.

We only use your data for an automated risk assessment for AML/CTF purposes and to determine your investment risk preferences. However, this process is not completely automated and ultimately involves manual review and decision-making.

Data Protection Rights

If you are an individual who can be identified through the data we possess as a "controller" and/or "processor," you have specific rights.

Your rights may be restricted because of the legal basis used by the Company to process your data. Since most of the processing carried out by the Company is required by law, some of the rights mentioned below may conflict with other legal instruments and therefore cannot be enforced fully or partially.

Right to information.

You can inquire about the existence of your personal data in our possession and, if applicable, obtain details about the Company, the type of data we handle, and the reasons and methods behind its processing.

Data subject access request.

You have the right to ask for a copy of your personal information and verify that the handling of it is legal.

Right to rectification.

You have the right to ask us to correct any inaccurate data we have and to provide any missing data we may have.

Right to erasure ('right to be forgotten').

If you meet the legal criteria, you can ask for your personal data to be deleted. In general, you can make this request if the processing of your data is unnecessary, unlawful, illegitimate, or if you have objected to it. It is important to note that the company may legally reject your request to be forgotten since most of their processing is based on legal requirements.

Object to processing of your personal information.

If we are using your data for processing because we have a legitimate interest (or a third party does), and you find yourself in a specific situation that gives you a reason to object to the processing, you have the right to submit a request. You can also object if we are processing your data for direct marketing purposes.

If you raise an objection, we will stop processing your personal data unless we can prove that there are strong legitimate reasons for the processing that outweigh your interests, rights, and freedoms.

Object to automated decision-making including profiling.

You have the right to raise concerns about any automated decisions or profiling made by us using your personal data.

Right to restriction.

Under certain conditions, you have the right to ask for the limitation of the processing of your data. This can be done to verify the accuracy of the data or to determine the purpose for which it is being processed.

Right to data portability.

You have the right to ask for a structured, commonly used, and machine-readable format of your personal information, and you can also transfer this data to another controller.

This provision may not be completely relevant in situations where the Company is required by law to carry out the processing.

Right to withdraw consent

If you have given your permission for your personal data to be collected, processed, and transferred for a specific purpose, you have the right to revoke your consent for that particular processing at any time. Once you withdraw your consent, the processing of your data will stop, unless there is another valid reason to continue processing it, such as a legal requirement to retain your data.

You will not be charged a fee by the Company unless your requests are clearly unreasonable or excessively burdensome. However, if your requests are not made in good faith, they may be denied.

Site Security

We prioritize the security of your information and implement additional measures to guarantee the safety of your data through the following protocols:

- To ensure that no unauthorized access attempts are permitted, we implement two layers of firewall protection, one at the application level and another at the server level.
- Users and data transfers are authenticated using an advanced Verisign SSL.
- The online activity of our traders is managed by a distinct server, while the transaction information is stored on a separate data server.
- We utilize distinct servers situated in various locations. As the data needs to be synchronized to both locations, it is safeguarded against any unauthorized alterations, and encryption guarantees the security of all the data stored on our servers.
- The servers are constantly safeguarded. Entry to the server premises is strictly prohibited for unauthorized individuals.

You can feel secure knowing that we employ top-of-the-line security measures to ensure that both your money and your data are safe.



Cookies

A cookie is a small file containing text that is stored on your computer to keep records. Orfinex utilizes cookies on its website. The information stored in cookies is not connected to any personally identifiable information you provide. We employ both session ID cookies and persistent cookies. A session ID cookie, named expires, is deleted when you close your browser. On the other hand, a persistent cookie remains on your hard drive for a longer period. You can delete persistent cookies by following the instructions in your internet browser's "Help" section.

We can use persistent cookies for statistical analysis. These cookies allow us to monitor and personalize the experience for users based on their location and interests when accessing our site(s). If you choose to reject our cookies, it may impact the overall quality of your user experience. Additionally, please note that our business partners may also utilize cookies on their respective sites, and we do not have any authority or influence over these cookies.

Our website provides a separate document containing our comprehensive cookies policy, which can be accessed for reading.

Complaints

If you have any concerns regarding how your data is being processed, you can reach out to the Data Protection Officer of the Company by emailing support@orfinex.com.

Changes To This Policy

We reserve the right to modify our Privacy Notice Online Statement policy periodically and will notify you of any changes through email or a notification on our website.

Contact us

If you have any inquiries regarding the Privacy Policy or the content of this document, or if you have any questions about Privacy, please don't hesitate to reach out to our customer support team at support@orfinex.com or visit support.orfinex.com.

We prioritize the security of your personal information. To learn more about how we manage your data, please refer to our Privacy Policy.