

# Privacy Policy

## Tickmill Europe Ltd

May 2018



## Important information

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In line with Article 24 GDPR (EU) 2016/679, taking into account the nature, scope, context and purposes of processing as well as the risks to the rights and freedoms of natural persons, Tickmill Europe Ltd have implemented appropriate technical and organisational measures to ensure pursuance to the General Data Protection Regulation (GDPR). This policy stands as the cornerstone to Tickmill Europe Ltd's compliance with the GDPR and is reviewed and updated accordingly.

This Policy that provides data subjects with information on how Tickmill Europe Ltd collects personal data, what they do with it and with whom it may be shared. This privacy notice has been drafted in compliance with the requirements of the General Data Protection Regulation, Regulation (EU) 2016/679, (the GDPR) and on the basis of the Information Commissioner's Code of Practice on 'Privacy notices, transparency and control' and the Article 29 European Commission Guidelines on transparency under the GDPR.

We ask that you read this privacy notice carefully as we would like to inform you that your privacy on the internet is of crucial importance to us and it also contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

## Who we are

Tickmill Europe Ltd ("Tickmill", "us", "our" or "we") collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the [General Data Protection Regulation](#) which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws.

## **The personal information we collect and use**

### Data Controllers and Contracting Parties

If you reside in the “Designated Countries”: Tickmill Europe Ltd will be the controller of your personal data provided to, or collected by or for, or processed in connection with our services and regulated activities.

If you reside outside of the “Designated Countries”: Tickmill Europe Ltd will be the controller of your personal data provided to, or collected by or for, or processed in connection with our services and regulated activities.

## **Whether information has to be provided by you, and if so why**

The provision of “Your Data” (please see next paragraph) is required from you to enable us to provide our services. We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

### Information collected by us

In the course of your registration as a client for a demo or live account with Tickmill or filling any other form on our Website, subscribing to our services, news or offers, marketing communications or posting material, the following information about you (“Your Data”) will be collected and stored for administrative, service related and/or legal purposes.

We will limit the collection of personal information to what is necessary to administer our business and carry out our regulated activities in an effort to provide you with superior service.

Information that you provide to us directly:

- Personal information, such as names, addresses, personal registration number, national identification number, passport number and e-mail addresses etc (“Personal Information”), and
- Financial information, trading experience and employment information for appropriateness assessment will also be collected but this data do not identify any individual as it is not personal data *per sé*.

However, the meaning of data ‘provided to’ Tickmill is not limited to this. It is also personal data resulting from observation of your activities (eg where using a device or service).

This may include:

- history of website usage or search activities, details of your visits to our Website including, communication data
- traffic and location data; or

- website traffic pattern information, including IP addresses, operating system and browser type, for system administration and to report aggregate information to our advertisers. This kind of information is only used in masked or aggregated form, which means that the individual user will not be recognisable. These data do not identify any individual.
- Communications between you and Tickmill via Live Chat, email, or telephone call.

Your e-mail address may be used by Tickmill in relation to its products and services (including any marketing campaigns related to these products or services). If you do not wish to receive such marketing material or and marketing communications, you can opt-out at any time by clicking on 'unsubscribe' or by sending an email stating so to [support@tickmill.eu](mailto:support@tickmill.eu).

## The type of data collected and purpose of collection

The type of data we collect along with the purpose for collection is listed below:

### Personal data type:

Personal information such as gender, name, date of birth and address

Contact information (email address and phone number)

Employment information, financial information, relevant education and trading experience

### Purpose:

To meet our anti money laundering (AML) and other regulatory obligations in relation to Know Your Client (KYC) and client due diligence. To verify your identity using our verification processes.

In order to send you correspondence in relation to the services provided and to fulfil our regulatory and compliance obligations

In order to comply with KYC obligations and in order to meet our regulatory obligations relating to assessing the appropriateness of our products and services

Ethnicity, citizenship and social security numbers or national identity and passport numbers	In order to comply with KYC and regulatory trade reporting and other AML obligations
Proof of photo ID, address verification	In order to comply with KYC and regulatory trade reporting and other AML obligations
Unique device number (IP address) and device information including version of web browser you use	When you visit our website, navigate through the pages or fill in any forms, we may collect your unique device number or IP address in order to set up your profile.
Financial sanctions and credit header information	In order to perform our electronic AML screening checks and to comply with other fraud detection policies. This may generate further information on your credit history, criminal convictions or political interests leading to us making decisions based on the results of these checks

## How we use your personal information

We use information held about you in the following ways:

- to ensure that the content in our website is presented to you in the most effective manner and to improve the content of our website.
- to communicate with you and contact you and to provide you with products and services that you request from us or, where you have consented to be contacted, for products and services that we feel may be of interest to you;
- managing and administering the products and services provided to you;
- keeping you updated as a client in relation to changes to our services and relevant matters;
- provide, improve, test, and monitor the effectiveness of our Service
- develop and test new products and features
- monitor metrics such as total number of visitors, traffic, and demographic patterns
- diagnose or fix technology problems
- to carry out our obligations arising from any contracts entered between you and us.

- we may also use your data or permit selected third parties and our processors to use your data, to provide you with information about goods and services which may be of interest to you and we or they may contact you about these by email.
- to notify you about updates to the website
- to send out newsletters or information about other opportunities that we believe will be of interest to you. We will only send this to you if you have indicated that you wish to receive such information and we will respect your wish not to do so if you communicate such wish to us. You can opt-out from receiving marketing communications at any time if you do not wish to receive such marketing material by clicking on 'unsubscribe' or by sending an email stating so to [support@tickmill.eu](mailto:support@tickmill.eu).
- to promote safety and security. We use the information we have to help verify accounts and activity, and to promote safety and security on our regulated services, such as by investigating suspicious activity or violations of our terms or policies. We work hard to protect your account using teams of IT specialists, automated systems, and advanced technology such as encryption.

## Who we share your personal information with?

We do not rent or sell your information to third parties outside Tickmill (or the group of companies of which Tickmill is a part) without your consent and we never will, except as noted in this Policy. We also impose strict restrictions on how our processors can use and disclose the data we provide. Here are the types of third parties we share information with:

- **Service providers and other partners:** We transfer information to service providers (*processors*), and other partners who globally support our business, such as providing technical infrastructure services, trading platforms, client identity verification, including PEPs and sanctions, services related to our website management.

We may need to transfer personal data to recipients outside the European Union; these activities can include dealings with foreign public entities (only when necessary and under request), the outsourcing of services to external providers located outside the EU and/or processing the data outside the EU (e.g. cloud computing, client identity verification and individuals from outside the EEA accessing to our web-services), or when arranging staff work trips to non-EU countries (see paragraph *Transfer of your information out of the EEA*).

- **Measurement and Analytics Services:** Partners who use our analytics services like Google Analytics (Non-Personally Identifiable Information Only). We do not share information that personally identifies you (personally identifiable information is information like name or email address that can

by itself be used to contact you or identifies who you are) with advertising, measurement or analytics partners.

Tickmill does extensive due diligence before choosing processors assuring that they provide sufficient guarantees, in particular in terms of expert knowledge, data governance, data security, cyber resilience, reliability and resources to implement technical and organizational measures which will meet the requirements of this General Personal Data Regulation, including for the security of processing.

Our processors provide sufficient guarantees to implement appropriate technical and organizational measures in such a manner that processing will meet the requirements of General Personal Data Regulation and ensure the protection of the rights of the data subject.

The adherence of the processor to an approved code of conduct, besides the *SLA Agreement/Contract*, or an approved certification mechanism is used as an element to demonstrate compliance with the obligations of the controller.

The carrying-out of processing by our processor it is governed by a contract or other legal act under Union or Member State law, binding the processor to the controller, setting out the subject-matter and duration of the processing, the nature and purposes of the processing, the type of personal data and categories of data subjects, taking into account the specific tasks and responsibilities of the processor in the context of the processing to be carried out and the risk to the rights and freedoms of the data subject.

Tickmill Europe Ltd and its processor may choose to use an individual contract or standard contractual clauses which are adopted either directly by the Commission or by a supervisory authority in accordance with the consistency mechanism and then adopted by the Commission.

After the completion of the processing on behalf of the controller (Tickmill Europe Ltd), the processor/-s should, at the choice of the controller, return or delete the personal data, unless there is a requirement to store the personal data under Union or Member State law to which the processor is subject.

This data sharing with our processor enables us to proceed, for instance with our regulated activities and duties as KYC in order to meet our regulatory obligations. Some of those third party recipients (processors) may be based outside the European Economic Area; if the third party recipient is located outside the EU/EEA in a country not ensuring an adequate level of data protection, the transfer can only be completed if a transfer agreement has been entered into between Tickmill and the third party. The transfer agreement shall be based on the EU Standard Contractual Clauses. — for further information including on how we safeguard your personal data when these cases occur, see paragraph 'Transfer of your information out of the EEA'.

We will share personal information with law enforcement or other authorities if required by applicable law with the express written consent of the data subject to disclose their personal data to a named person or organisation.

## **Cookie Data**

We use cookies and similar technologies to provide and support our Services. When you use our website we will use cookies to distinguish you from other users of our website.

For more information about cookies and how we use them, please read our [Cookies Policy](#).

## **How our global services operate**

### Transfer of your information out of the EEA

Information collected within the European Economic Area (“EEA”) may, for example, be transferred to countries outside of the EEA for the purposes described in this policy. We and our processors utilise standard contract clauses approved by the European Commission, we assure they are GDPR compliant and we adopt other means under European Union law and obtain your consent to legitimise data transfers from the EEA to and other countries.

Tickmill complies with all the general data protection principles and the Act as a whole, not just the eighth principle relating to international data transfers.

International transfers may take place when there is an adequate level of protection to the fundamental right of individuals (data subjects) to data protection. Adequacy assessments may be carried out by Tickmill when transferring data outside the EEA to conduct its regulated activities and services.

Adequate safeguards may be put in place in a number of ways including using Standard Contractual Clauses, Binding Corporate Rules, Binding Corporate Rules for Processors (BCRs) if applicable or other contractual arrangements; derogations are also permitted under limited additional circumstances under GDPR. Where “adequate safeguards” are established, the rights of data subjects continue to be protected even after their data has been transferred outside the EEA for processing.

If a third party recipient is located outside the EU/EEA in a country not ensuring an adequate level of data protection, the transfer can only be completed if a transfer agreement has been entered into between Tickmill and the third party. The transfer agreement shall be based on the EU Standard Contractual Clauses.



## How do we respond to legal requests or prevent harm?

We access, preserve and share your information with regulators, law enforcement or others by request:

- We can respond to legal requests when we have a good-faith belief that the response is required by law in that jurisdiction, affects users in that jurisdiction, and is consistent with internationally recognized standards.
- When we have a good-faith belief it is necessary to: detect, prevent and address fraud, unauthorized use of the services or products, violations of our terms or policies, or other harmful or illegal activity; to protect ourselves (including our rights, property or Products), you or others, including as part of investigations or regulatory inquiries; or to prevent death or imminent bodily harm. For example, if relevant, we provide information to and receive information from third-parties about the reliability of your account to prevent fraud, abuse and other harmful activity on and off our Products.

Information we receive about you (including financial transaction as data related to deposits and withdrawals) can be accessed and preserved for an extended period when it is the subject of a legal request or obligation, governmental investigation, or investigations of possible violations of our terms or policies, or otherwise to prevent harm. We also retain information from accounts disabled for terms violations for at least a year to prevent repeat abuse or other term violations.

## Your rights

Under the [General Data Protection Regulation](#) you have a number of important rights. In summary, those include rights to:

- fair processing of information and transparency over how we use your use personal information,
- The right to access personal data: access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address.
- The right to request that personal data regarding them is corrected if it is found to be inaccurate: require us to correct any mistakes in your information which we hold.
- The right to request that your personal data is erased where it is no longer necessary: require the erasure of personal information concerning you in certain situations.
- Right to data portability: receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party (another controller) in certain situations.

- The right to withdraw consent to processing at any time, where relevant.
- The right to object at any time to processing of personal information concerning you for direct marketing.
- The right not to be subject to a decision which is based solely on automated processing, including profiling which produces legal effects concerning them or similarly significant affects them
- The right to object in certain other situations to our continued processing of your personal information.
- otherwise restrict our processing of your personal information in certain circumstances

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the Office of the Commissioner for Personal Data Protection](#)

If you would like to exercise any of those rights, please:

- email, call or write to us at [support@tickmill.eu](mailto:support@tickmill.eu) OR contact our Data Protection Officer at [compliance@tickmill.eu](mailto:compliance@tickmill.eu)
- let us have enough information to identify you (*eg account number, user name, registration details*),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers, if you have them.

If you would like to unsubscribe from any emailing or any marketing communications you can also click on the 'unsubscribe' button at the bottom of the email or by sending an email to [support@tickmill.eu](mailto:support@tickmill.eu) stating so.

## **Legal basis for processing personal data**

Reasons we can collect and use your personal information:

### Lawful basis for processing

Under EU data protection law, there must be a lawful basis for all processing of personal data (unless an exemption or derogation applies). We rely on:

- Contractual necessity  
Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract to conduct regulated activities, when processing is necessary for the entry into,

or performance of contract with the data subject or in order to take steps at this or her request prior to the entry into a contract.

- **Compliance with legal obligations**

Processing is necessary for compliance with our legal obligation. Tickmill has the necessity for compliance with a legal obligation.

- **Legitimate interest**

Data will only be processed where it is necessary for the purposes of the legitimate interests pursued by Tickmill, and these interests or fundamental rights are not overridden by the interests of the data subject. Tickmill will, when deciding to process data to ensure that the legitimate interests do not override the rights and freedoms of the individual and that the processing would not cause unwarranted harm. For instance, it is a legitimate interest of Tickmill to process personal data on potential client in order to expand the business and develop new business relations. The data subject must be given information on the specific legitimate interest if a processing is based on this provision.

## **Keeping your personal information secure**

Your Data is stored and kept confidential according to the legislation on protection of personal data and processing thereof applicable in the jurisdiction in which Tickmill with which you have signed up is located.

We have appropriate security measures in place to prevent personal information from being accidentally lost, misused, modification, disclosure or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

## **How long your personal information will be kept**

### Data retention

You can close your account any time, but for audit trail purposes, Tickmill shall hold personal data for a period of at least five years in order for us to comply with our record keeping obligations under the Money Laundering Regulations 2017.

At the end of that period, Tickmill Europe Ltd will be required to delete all personal data relating to Data Subject, unless a legal requirement requires them to keep the data for a prolonged period of time, or Data Subject has expressly consented to their data being held for an extended period of time.

## What happens in the event of a change of control

If we sell or otherwise transfer part or the whole of Tickmill or our assets to another organization (e.g., in the course of a transaction like a merger, acquisition, bankruptcy, dissolution, liquidation), your information such as name and email address and any other information collected through the Service may be among the items sold or transferred. You will continue to own your User Content. The buyer or transferee will have to honour the commitments we have made in this Privacy Policy.

## How to complain

We hope that our client support or compliance team can resolve any query or concern you raise about our use of your information.

The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in Cyprus is the Office of the Commissioner for Personal Data Protection ('Commissioner'): who may be contacted at [commissioner@dataprotection.gov.cy](mailto:commissioner@dataprotection.gov.cy) or telephone at +35722818456.

Address: 1, Iasonos Str. 2nd Floor, 1082 Nicosia, Cyprus

P.O. BOX 23378, 1682 Nicosia

## How to contact us

Please contact us at [support@tickmill.eu](mailto:support@tickmill.eu) or our Data Protection Officer at [compliance@tickmill.eu](mailto:compliance@tickmill.eu), if you have any questions about this privacy notice or the information we hold about you. The data controller responsible for your information is Tickmill Europe Ltd., which you can contact online, by email, by post or telephone call.



If you wish to contact us please send an email to [support@tickmill.eu](mailto:support@tickmill.eu) or to Data Protection Officer [compliance@tickmill.eu](mailto:compliance@tickmill.eu), please send an email to, write to: Kedron 9, Mesa Geitonia, Limassol 4004, Cyprus or call us at +357 25247650.

In order to exercise any rights, queries and complaints please contact Tickmill Europe Ltd's compliance department: [compliance@tickmill.eu](mailto:compliance@tickmill.eu).

## National requirements

Tickmill shall comply with both the GDPR and national data protection legislation. If applicable national legislation requires a higher level of protection for personal data than such policies/guidelines, such stricter requirements are to be complied with. If Tickmill policies/guidelines are stricter than the local legislation, our policies/guidelines must be complied with.

## Changes to this privacy notice

This privacy notice was published on May 2018 and last updated on May 2018.

We may change this privacy policy from time to time, when we do we will inform you via our Website or via email.

## Do you need extra help?

If you would like this notice in another format (for example: audio, large print, braille) please contact us (see 'How to contact us' above).

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