

Kapital FX Privacy Policy 2017

This is the privacy policy of Kapital FX Pty Ltd (Kapital FX). In this document, “we”, “our”, or “us” refers to Kapital FX registered in Australia with ACN 18 611 822 390. Our registered office is at Level 23, 52 Martin Place, Sydney, NSW, 2000. This policy informs you of our policy about all information that we collect about you. We are extremely concerned to protect your privacy and confidentiality.

We understand that all users of our web site are quite rightly concerned to know that their data will not be used for any purpose unintended by them, and will not accidentally fall into the hands of a third party. Our policy is both specific and strict. It complies with Australian regulations regarding the handling of personal information.

If you think our policy falls short of your expectations or that we are failing to abide by our policy, do please tell us. We regret that if there are one or more points below with which you are not happy, your only recourse is to leave our web site immediately. Except as set out below, we do not share, or sell, or disclose to a third party, any personally identifiable information collected at this site.

In this Policy:

- A. ‘Disclosing’ information means providing information to persons outside of us;
- B. ‘Personal information’ means information or an opinion relating to an individual, which can be used to identify that individual;
- C. ‘Privacy Officer’ means the contact person for questions or complaints regarding our handling of personal information;
- D. ‘Sensitive information’ is personal information that includes information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences and criminal record, and also includes health information; and
- E. ‘Use’ of information means our use of information.

1. WHAT KIND OF INFORMATION DO WE COLLECT?

(a) Business and personal information

This includes basic identification and contact information, such as your name and contact details and also includes all information given to us in the course of your business and ours, such as information you give us in your capacity as our client. We undertake to preserve the confidentiality of the information and of the terms of our relationship. It is not used for any other purpose. We expect you to reciprocate this policy. This information is used:

- (a) to provide you with the services which you request or to let you know about other products or services we offer, send you information about special offers or invite you to events;

- (b) for verifying your identity for security purposes;
- (c) for marketing our services and products.

(b) **Generic Information**

Information which does not identify any individual may be used in a general way by us or third parties, to provide class information, for example relating to demographics or usage of a particular page or service.

(c) **Maintaining your Information**

We keep information, which forms part of our business record for a minimum of six years. That is because we may need it in some way to support a claim or defence in court. That is also the period within which our tax collecting authorities may demand to know it. You may contact us to see what information we hold at any time.

(d) **Sensitive Information**

We will not collect sensitive information about you without your consent unless an exemption in the APPs applies. These exceptions include if the collection is required or authorised by law or necessary to take appropriate action in relation to suspected unlawful activity or serious misconduct. Sensitive information is personal information that includes information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences and criminal record, and also includes health information.

2. UNSOLICITED INFORMATION

We may receive unsolicited personal information about you. We destroy or de-identify all unsolicited personal information we receive, unless it is relevant to our purposes for collecting personal information. We may retain additional information we receive about you if it is combined with other information we are required or entitled to collect. If we do this, we will retain the information in the same way we hold your other personal information.

3. YOUR DOMAIN NAME AND E-MAIL ADDRESS

This information is recognised by our servers and the pages that you visit are recorded, subject to section 5. We shall not under any circumstances, divulge your e-mail address to any person who is not an employee or contractor of ours and who does not need to know, either generally or specifically. This information is used:

- (a) to correspond with you or deal with you as you expect;
- (b) in a collective way not referable to any particular individual, for the purpose of quality control and improvement of our site;
- (c) to send you news about the services to which you have signed up;
- (d) to tell you about other services we and our related entities offer.

4. WHO DO WE COLLECT PERSONAL INFORMATION ABOUT?

The personal information we may collect and hold includes (but is not limited to) personal information about the following individuals:

- (a) customers;
- (b) potential customers;
- (c) visitors to our website;
- (d) service providers or suppliers.

5. HOW DO WE KEEP PERSONAL INFORMATION UP TO DATE AND ACCURATE?

We are committed to ensuring that the personal information we collect, hold, use and disclose is relevant, accurate, complete and up-to-date.

We encourage you to contact us if any personal information we hold about you needs to be updated. If we correct information that has previously been disclosed to another entity, we will notify the other entity of the correction within a reasonable period. Where we are satisfied information is inaccurate, we will take reasonable steps to correct the information within 30 days, unless you agree otherwise. We will not charge you for correcting your personal information.

6. COOKIES

Cookies are small text files that are placed on your computer's hard drive through your web browser when you visit any web site. They are widely used to make web sites work, or work more efficiently, as well as to provide information to the owners of the site. Like all other users of cookies, we may request the return of information from your computer when your browser requests a web page from our server. Cookies enable our web server to identify you to us, and to track your actions and the pages you visit while you use our website. The cookies we use may last for a single visit to our site (they are deleted from your computer when you close your browser), or may remain on your computer until you delete them or until a defined period of time has passed. Although your browser software enables you to disable cookies, we recommend that you allow the use of cookies in order to take advantage of the features of our website that rely on their use. If you prevent their use, you will not be able to use all the functionality of our website. Here are the ways we use cookies:

- (a) to record whether you have accepted the use of cookies on our web site. This is solely to comply with the law. If you have chosen not to accept cookies, we will not use cookies for your visit, but unfortunately, our site will not work well for you;
- (b) to allow essential parts of our web site to operate for you;

- (c) to operate the online notification form - the form that you use to contact us for any reason. This cookie is set on your arrival at our web site and deleted when you close your browser;
- (d) to enhance security on our contact form. It is set for use only through the contact form. This cookie is deleted when you close your browser;
- (e) to collect information about how visitors use our site. We use the information to improve your experience of our site and enable us to increase sales. This cookie collects information in an anonymous form, including the number of visitors to the site, where visitors have come to the site from, and the pages they visited;
- (f) to store your personal information so that you do not have to provide it afresh when you visit the site next time. This cookie will last for 90 days.

7. WHO DO WE DISCLOSE PERSONAL INFORMATION TO?

We may disclose personal information to:

- (a) a related entity of us;
- (b) an agent, professional advisor or service provider we engage to carry out our functions and activities;
- (c) organizations involved in a transfer or sale of our assets or business;
- (d) financial institutions involved in managing our payments, such as banks;
- (e) regulatory bodies, government agencies, law enforcement bodies and courts;
- (f) anyone whom you authorise us to disclose it.

If we disclose your personal information to service providers that perform business activities for us, they may only use your personal information for the specific purpose for which we supply it. We will ensure that all contractual arrangements with third parties adequately address privacy issues and will make third parties aware of this Policy.

Equifax Australia Information Services and Solutions Pty Limited ('Equifax')

We may disclose personal information, including information about your credit liabilities, repayments and defaults, to the following credit reporting body:

Equifax Australia Information Services and Solutions Pty Limited
PO Box 967
NORTH SYDNEY NSW 2059

Disclosure of credit information:

Equifax may include the information in reports provided to credit providers to assist them to assess your credit worthiness. If you fail to meet your repayment obligations or commit a serious credit infringement, we may be entitled to disclose this to Equifax.

8. DIRECT MARKETING

We may only use personal information we collect from you for the purposes of direct marketing without your consent if:

- (a) the personal information does not include sensitive information; and
- (b) you would reasonably expect us to use or disclose the information for the purpose of direct marketing; and
- (c) we provide a simple way of opting out of direct marketing; and
- (d) you have not requested to opt out of receiving direct marketing from us.

If we collect personal information about you from a third party, we will only use that information for the purposes of direct marketing if you have consented (or it is impracticable to obtain your consent), and we will provide a simple means by which you can easily request not to receive direct marketing communications from us. We will draw your attention to the fact you may make such a request in our direct marketing communications.

You have the right to request us not to use or disclose your personal information for the purposes of direct marketing, or for the purposes of facilitating direct marketing by other organisations. We must give effect to the request within a reasonable period of time. You may also request that we provide you with the source of their information. If such a request is made, we must notify you of the source of the information free of charge within a reasonable period of time.

9. COMPLAINTS PROCEDURE

- (a) If you have a complaint about how we are collected or handled your personal information, please contact us. We will endeavour in the first instance to deal with your complaint and take action to resolve the matter.
- (b) If your complaint cannot be resolved at the first instance, we will ask you to lodge a formal complaint in writing, explaining the circumstances of the matter that you are complaining about, how you believe your privacy has been interfered with and how you believe your complaint should be resolved.
- (c) We will acknowledge receipt of your formal complaint and indicate the timeframe that you can expect a response. We will endeavour to resolve the complaint as quickly as possible, but if the matter is complex and our investigation may take longer, we will let you know when we expect to provide our response.

Contact details

How you can contact us:

Emailing: accounts@kapitalfx.com.au

Sending a letter to us at: Attn: Privacy Officer Level 23, 52 Martin Place,
Sydney, NSW 2000

If you are unhappy with our response, you may refer your complaint to the
Office of the Australian Information Commissioner at enquiries@oaic.gov.au.

10. CHANGE IN PRIVACY POLICY

As we plan to ensure our privacy policy remains current, this policy is subject to change. Please return to our website periodically to review our privacy policy. If you have any questions regarding the privacy policy, please contact us through the contact page.