



## PRIVACY NOTICE

### WHAT IS THE PURPOSE OF THIS DOCUMENT?

Project OTX Limited, trading as OTX, registered in England No. 08521881 with registered office at 9 Seagrave Road, London, England (the “**Company**” or “**We**”) are committed to protecting the privacy and security of the personal information of data subjects.

This privacy notice describes how we may collect and use personal information about you during and after your commercial relationship with us, in accordance with the UK General Data Protection Regulation “UK GDPR”, and, when applicable, the “EU GDPR” (together, the “Data Protection Legislation”). It applies to our collection and processing of personal data about you on our website or when you interact with us in the context of using or expressing an interest in our voice brokerage service or the OTX market-access platform.

The Company is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under Data Protection Legislation to notify you of the information contained in this privacy notice.

#### Third-party links

Our website/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 website, we encourage you to read the privacy notice of every website you visit.

### TYPES OF INFORMATION WE HOLD 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 your identity has been removed (anonymous data).

We may collect, store, and use the personal information about you or your representative that is set out in Schedule 1.

We may also collect, use and share **Aggregated Data** such as statistical or demographic data for some purposes. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **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 or a specific functionality of the OTX platforms. 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 notice.

We do not collect, store or use personal information about you that contain **Special Categories of Personal Data** (i.e. details about your race or ethnic origin, political opinions, trade union membership, religious or other beliefs, physical or mental health or condition, sexual life, sexual orientation, criminal offences both committed and alleged and biometric or genetic data).

We may collect personal information regarding criminal convictions or offences only if you have voluntarily disclosed it to us and strictly for the purpose of registering you as a new customer, undertaking the required due diligence exercise for business transactions and, in any case, only where we are legally able to do so.

The personal data that we collect and process may not all be necessary for you to use our services but, without them, you may not be able to benefit from all the available functionalities.

## HOW WE COLLECT YOUR PERSONAL INFORMATION

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

**Direct interactions.** You may give us your identity, contact and job and career data by giving us business cards in hard or electronic copy, by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- instruct us to provide you with services;
- engage with us in the course of transactions in which we are involved professionally;
- become a professional contact;
- enquire about the services we provide;
- use our trading platforms or other services we provide;
- meet with us at business events organised by us or by third parties;
- subscribe to our publications;
- request information to be sent to you.

**Automated technologies or interactions.** As you interact with our website or platforms, we may automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our cookie policy at [www.otxgroup.com/en/about-otx/privacy-policy/](http://www.otxgroup.com/en/about-otx/privacy-policy/).

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

- Technical Data from analytics providers;
- Identity and contact data from publicly available sources such as Companies House and the Electoral Register based inside the EU;
- Identity and contact data from social media including LinkedIn; and
- Professional intermediaries.

## HOW WE USE INFORMATION ABOUT YOU

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

1. Where we need to register you as a new customer in order to enter into a contract with you.
2. Where we need to perform the contract we have entered into with you, to carry out customer instructions on a particular transaction or to issue a 'deal recap'.
3. Where we need to comply with a legal obligation.
4. 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. These will include
  - providing you with information about our services where we think these will be of interest to you and/or to deliver those services more efficiently and effectively to you;
  - monitoring and reviewing the provision of supplies to us;
  - monitoring use of website and online infrastructure for technical improvement and cybersecurity;
  - maintaining and promoting strong and effective business relationships to ensure our services deliver optimum value;
  - pursuing our legitimate economic interests/business purposes.
5. Where we have obtained your consent.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your vital interests (or someone else's vital interests).

2. Where it is needed in the public interest or for official purposes.

## **SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION**

The situations in which we will process your personal information are listed in Schedule 2 of this notice.

Some of the above grounds for processing will overlap and there may be several grounds which justify our processing of your personal information.

## **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

We will only collect information about criminal convictions if it is appropriate given the requirements of the business transaction, where you have voluntarily provided us with such information and where we are legally able to do so.

## **DATA SHARING**

We may have to share your data with Third Parties when required by law to do so, where it is necessary to administer the commercial relationship with you or where we have another legitimate interest in doing so, and in so far as it is necessary to pursue such aims.

"Third Parties" includes third-party service providers including contractors and designated agents. The following activities are currently carried out by third-party service providers:

- Sales and marketing administration services;
- IT administration and hosting services;
- Archiving services;
- Banking services;
- Office/co-working services;
- Courier services; and
- Legal and accounting services.

The Company may also engage with Third Parties in other activities not listed above, in order to administer the commercial relationship with you or where we have a legitimate interest in doing so. In such case, the Company will update this privacy notice.

All Third Parties acting as data processors are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers acting as data processors to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may share your personal information with our other customers, as may be necessary in order:

- For you to enter into contracts with other customers and to benefit from other services provided by us, as requested by you;
- For customers to carry out their Know Your Customer 'KYC' checks or to meet other regulatory requirements necessary to enter into a contract with you; and
- To perform a contract/transaction request with you.

However, we do not allow our customers to use your personal data for their own commercial purposes. We only permit them to process your personal data for specified purposes, such as meeting their own regulatory obligations and for meeting their own contractual obligations with you.

The type of personal data we may share with other customers for the purposes specified above are:

- Name
- Email
- Job title
- Date of birth
- Phone number
- Passport
- Other data establishing your identity and contact details.

If you are using the OTX platform, this data will typically be shared with other parties or their representatives to the extent that it is necessary to enable them to take further steps to complete or support a transaction or if you share personal information by uploading attachments that include such personal information.

To ensure that your personal information receives an adequate level of protection we have put in place appropriate measures to ensure that your personal information is treated by those third parties and other customers in a way that is consistent with and which respects Data Protection Legislation. If you require further

information about this, please contact our Data Protection Manager in writing at [privacy@otxgroup.com](mailto:privacy@otxgroup.com) or at the other contact details provided at the end of this privacy notice.

We may share your personal information with other entities in our group as part of our regular reporting activities on company updates and performance, We may also disclose your personal data in the event of a merger, proposed merger, sale or proposed sale of any part of our business with any (or any proposed) transferee, or successor in title to the whole or any part of our business and their respective officers, employees, agents and advisers, to the extent necessary to give effect to such transaction and to the extent that it is necessary to pursue our legitimate interest and/or to comply with our contractual and/or legal obligations.

We may also disclose your personal data to our shareholders, when this is required or allowed by law.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, OBJECTION, RESTRICTION AND PORTABILITY**

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

Under certain circumstances, you may have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you.
- Request update/correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request the erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no lawful reason for us continuing to process it. You also have the right to ask us to stop processing personal information where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground.
- Object to the processing of your personal information. This enables you to ask us, on certain grounds, to no longer process your personal information unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defense of legal claims.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party (commonly known as "right to data portability").

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our Data Protection Manager in writing ([privacy@otxgroup.com](mailto:privacy@otxgroup.com)) and specify what personal data your request relates to.

You will not normally have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if we consider that your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may also need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

You have the right to lodge a complaint in relation to our processing of your personal data with the UK Information Commissioner's Office, contactable at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or <https://ico.org.uk/make-a-complaint/>.

You also have the right to lodge a complaint in relation to our processing of your personal data with any relevant Data Privacy Authority, as well as to any Court of competent jurisdiction.

## **OPTING OUT**

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. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time, without affecting the lawfulness of processing based on consent before its withdrawal. To withdraw your consent, please contact our Data Protection Manager in writing at [privacy@otxgroup.com](mailto:privacy@otxgroup.com) or at the other contact details provided at the end of this privacy notice. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law. You will also be entitled to exercise the above rights, as provided by the applicable Data Protection Legislation.

## **RIGHT TO WITHDRAW CONSENT**

Where consent is required and sought, we will always be specific about what the consent is required for and we will ask you to indicate your agreement clearly.

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time, without affecting the lawfulness of processing based on consent before its withdrawal. To withdraw your consent, please contact our Data Protection Manager in writing at [privacy@otxgroup.com](mailto:privacy@otxgroup.com) or at

the other contact details provided at the end of this privacy notice, identifying the specific consent that you wish to withdraw. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law. You will also be entitled to exercise the above rights, as provided by the applicable Data Protection Legislation.

## **INTERNATIONAL TRANSFERS**

We may transfer your personal data to other customers of the Company outside the UK or EEA. In these cases, your data will only be transferred to other customers for the purpose of entering into/performing a contract with them, carrying out their Know Your Customer 'KYC' checks and performing a contract/transaction request with you, as specified in 'Data Sharing' above. In the course of our business with you, we may also store or transfer your personal data to Third Party providers such as cloud companies, email or chat services providers, hosting services providers and CRM services providers based outside the UK or EEA. Your data will only be transferred to such Third Party providers deemed to provide an adequate level of protection for your personal information, in accordance with Data Protection Legislation. We may also transfer your personal data to members of our group of companies and to shareholders outside the UK or EEA.

Where your data is shared with parties in jurisdictions that are not recognised as having an adequate level of data protection, we take appropriate steps to ensure your data continues to be adequately protected and your privacy rights respect, such as using the UK or European Commission's Standard Contractual Clauses.

## **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.

## **DATA RETENTION**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. 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 requirements.



If you are a customer of the Company then we retain our file of the matter (which may include personal data) for at least 7 years or longer if there is a legal requirement or a legitimate business interest to do so, provided those interests do not override your interests or fundamental rights.

If you are not a customer of the Company then your personal data will be deleted where there is no legal requirement or legitimate business reason for us to retain it.

## **DATA PROTECTION MANAGER**

Our Data Protection Manager, Francesco Dolci, will oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact him.

OTX

Francesco Dolci

[privacy@otxgroup.com](mailto:privacy@otxgroup.com)

4th Floor, Rex House

4-12 Regent Street

London SW1Y 4PE

+44 (0)20 3876 5334

## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time and any updated privacy notice will be made available to you when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

# SCHEDULE 1

We may collect, store and use the following categories of personal information about you:

**Identity Data** including first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender

**Contact Data** including billing address, delivery address, email address and telephone numbers.

**Transaction Data** including details about payments from you and other details of matters on which you have instructed us and/or products and services you have purchased from us.

**Technical Data** including 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 this website.

**Profile Data** including your job title, career history, business relationships, interests, preferences, family information, feedback and survey responses obtained through professional and/or social interaction. Your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.

**Usage Data** including information about how you use our website, products and services.

**Marketing and Communications Data** including your preferences in receiving marketing from us and your communication preferences.

**Photographs** contained in photo ID documentation you may share in order for us to complete 'Know Your Customer' checks and registration procedures, both for entering into contracts with us and entering into agreements with other customers of ours.

## SCHEDULE 2

### SITUATIONS IN WHICH WE WILL PROCESS YOUR PERSONAL INFORMATION:

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
<p>To register you as a new customer</p> <p>To allow OTX to conduct KYC on new customers, their representatives, officers, shareholders and/or ultimate beneficial owners</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Photograph</p>	<p>(a) Entering into and/or performance of a contract with you</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to complete our KYC procedure in line with our corporate risk profile)</p>
<p>To allow you to transact with other customers/OTX members</p> <p>To support you in completing KYC procedures of potential counterparties with which you may enter contracts</p> <p>To support you in finalizing with other counterparties contracts that were agreed via our services</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Photograph</p>	<p>(a) Entering into and/or performance of a contract with you</p> <p>(b) Necessary for our customers' legitimate interests (to complete their KYC procedures)</p> <p>(c) Necessary for our customers' legitimate interests (to allow you to transact with other customers)</p> <p>(d) Valid consent given by you</p>
<p>To carry out instructions from you or in which you are professionally involved, including in providing support in relation to our trading platforms.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Transaction</p> <p>(d) Marketing and Communications</p>	<p>(a) Entering into and/or performance of a contract with you</p> <p>(b) Necessary for our legitimate interests (to maintain our records and to enable us to secure repeat business from you)</p>
<p>To manage our relationship with you which will include:</p> <p>(a) Notifying you about changes to our terms or privacy policy</p> <p>(b) Asking you to provide feedback on our services</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Marketing and Communications</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to review quality of our services).</p>

To manage, monitor, administer and protect our business, platforms and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting, security and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation) (b) Necessary to comply with a legal obligation.
To deliver relevant website content to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	(a) Necessary for our legitimate interests (to understand how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy) (b) Valid consent given by you
To use data analytics to improve our website, products/services, marketing, client relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customer for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	(a) Necessary for our legitimate interests (to develop our products/services and grow our business). (b) Valid consent given by you .
Keeping your transaction records after you have left us	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary to comply with legal obligations and for our legitimate interests in considering we can provide our assistance for you in the future.
Intra-group reporting activities	(a) Personal data set out in Schedule 1	Necessary for our legitimate interests to develop and nurture opportunities and to deliver better services to our customers