



PRIVACY POLICY

Introduction

At Kubera Capital Markets Ltd. we are committed to your privacy. This Privacy Policy explains how we collect, use and disclose the personal information that we collect from you or which we have obtained about you from a third party. It sets out various rights that you have in relation to that personal information. Please take a moment to read and understand it.

This Privacy Policy explains:

- how we collect personal information;
- the kind of personal information we collect;
- how we process your personal information;
- how we use, and may share, your personal information;
- how we use cookies and log files;
- responsibility for personal information collected through linked third-party websites;
- how you can access/amend your personal information;
- how long we hold personal information;
- who you can contact for further information; and
- additional terms that apply to some residents of the European Economic Area.

In this Privacy Policy:

- “we” means Kubera Capital Markets Ltd. or any related company providing you with our products or services;
- “you” means you, the person purchasing or using our products or services, providing us with personal information, visiting our website, or using our online trading portal;
- “products and services” means all products and services we provide and anything else we do for you, including providing you with access to our website or online trading portal; and
- “website” means our website accessible at www.kuberamarkets.com, or associated websites or pages, including any data room or online portal that we may make available to clients or potential clients.

We may modify or amend this Privacy Policy at any time and for any reason. You can view our most current Privacy Policy on our website.

How we collect personal information

We collect personal information in the following ways:

- directly from you or from third parties acting on your authority or who you authorise us to make contact with about you:
 - when you contact us seeking information about us, our products or services or anything on our website (including when you register on our website to receive our



news and updates service or to access information made available only to registered users);

- in the course of conducting customer due diligence;
- in the course of providing our products and services to you; or
- when you apply to work at Kubera Capital Markets Ltd.;
- publicly available information searched as part of carrying out customer due diligence or as part of the provision of our products or services to you;
- indirectly through your use of our website and the services and functionality offered through it;
- the agents and service providers that we may engage to assist us with fulfilling any of the purposes recorded in this policy; and

The kind of personal information we collect

We collect only the personal information (including for example your name, date of birth, address, email address, contact telephone numbers and details relating to employment or business you are involved in and source of funds etc.) you give us, and as acquired through the other sources or means mentioned above. We may also keep a record of any information that you acquire from us.

If you are providing us with personal information about someone else, it may be necessary to make sure that person is aware that your authorisation of that person may involve collecting, using, and disclosing their personal information. Please ensure you comply with your privacy obligations relating to the personal information of others that you provide to us.

You do not have to provide us with, or allow us to collect, your personal information, but if we are unable to collect all or any of your personal information that we request from time to time, then we may be unable to provide our products and services to you.

For example, we are required by law, including under the Labuan Financial Services Authority Act 1996 and Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Acts 2001, to collect your identity information etc, and if you do not provide us with this information, we may be unable, by law, to provide our services to you.

How we process your personal information

The reasons for collecting and using your personal information depend on the specific data involved and the context in which it is gathered. Typically, we process your personal information when:

- **You have given your consent** for its collection and use, either at the time of or prior to its collection;
- **It is necessary to fulfil a contract** we have with you;
- **Processing aligns with our legitimate interests**, or those of a third party, without compromising your rights, freedoms, or data protection interests;
- **Legal obligations require us to collect the information, or it is essential to protect vital interests.**



If consent is the basis for processing, failure to provide or a withdrawal of consent may prevent us from offering the products or services you request. You have the right to withdraw your consent at any time by emailing compliance@kuberaforex.com.

How we use, and may share, your personal information

We use your personal information for the following purposes:

- to verify your identity, perform customer due diligence and for other administrative purposes;
- to reply to your queries;
- to carry out your instructions, deliver our products and services to you and otherwise fulfil our professional duties;
- to improve, develop, market and provide information about our products and services (subject to any confidentiality requirements), including:
 - working with you to develop ways in which we can improve our products and services and the way we deliver them, for you specifically and generally; and
 - addressing any particular matters you raise with us in connection with our products and services;
- to enforce our agreements with you;
- to protect our rights, property or safety or those of third parties, including our employees, contractors, other clients, and users of our website or our products or services;
- any specific purpose which we notify you of at the time personal information is collected; and
- to comply with any legal requirement, including any applicable law, court order, other judicial process, or the requirements of a regulator, and as otherwise required or permitted by law.
- In providing our products and services to you, we may also disclose your personal information to our contractors or agents, and other organisations, including:
 - identification verification and screening agencies (each an intermediary) (who may temporarily hold such information for the purposes of process audit and error checking);
 - any document issuer, official record holder, credit bureau and authorised third parties' data providers (data provider), for the purposes of customer due diligence (who may retain a record of the fact that we or an intermediary has requested a data comparison);
 - credit reporting agencies (who may retain the personal information we share with them on their databases for use in the provision of their credit reporting services);
 - third party service providers such as:
 - IT systems or services providers;
 - data management, processing and storage service providers;
 - auditors;
 - banks and other financial service providers;
 - third parties engaged in the course of providing our services and
 - service providers that assist us with client insight analytics;
- a court or tribunal;
- regulatory and enforcement agencies;
- government agencies; and



- as otherwise authorised by you.
- We do not sell information that identifies you personally.

How we use cookies and log files

We use cookies, log files and other technologies to collect personal information from the hardware and software you use to access our trading platform, website or receive our news updates.

A cookie is a small data file that the website sends to your browser, which may then store it on your system for later retrieval by the website. Cookies track your movements through different websites; they do not record any other personal information about you. Cookies are widely used on websites to help with navigation and to help personalise your experience when you visit a website.

We also use cookies in our electronic direct mail messages, including any newsletter updates you may subscribe to. These cookies help us gain insight about the content we send and how it is received, which in turn helps us to improve the content we create and the way we deliver it to you.

If you reject cookies, you may still use our website and/or receive our electronic direct mail messages, but your experience may be affected, and your ability to use some areas of our website may be limited.

To find out more about the way cookies work, how to see what cookies have been set and how to manage and delete them, visit www.allaboutcookies.org. To opt out of being tracked by Google Analytics across all websites, visit <http://tools.google.com/dlpage/gaoptout>.

In addition to cookies, we use Google Analytics to understand and optimise user experience and to improve our advertising. This tracking software collects and analyses certain types of information, including cookies, IP addresses, device and software identifiers, referring and exit URLs, onsite behaviour and usage information, and other similar information. We and Google Analytics may also use cookies to anonymously track and target advertising based on your browsing behaviour.

We may use non personalised statistics about the use of our website to monitor site traffic, to analyse trends, to gather demographic information about our user base as a whole, to improve our website and to improve website user experience. These anonymised and/or amalgamated statistics do not comprise personal information.

Responsibility for personal information collected through linked third-party websites

Our website, news updates or other communications to you, may contain links to third party websites. Unless expressly stated otherwise, these websites have not been developed by and are not controlled by us. They are provided for your convenience only, and do not imply that we check, endorse, approve or agree with the privacy practices of the third-party websites linked to. We encourage you to be aware when you leave our website and to read the privacy statements of each and every website that you visit.

How you can access/amend your personal information



You may request access to any of your personal information we hold by emailing us at compliance@kuberaforex.com. Subject to any lawful grounds for withholding, we will provide you with a copy of the personal information we keep about you.

You may request that the personal information we hold about you be corrected by emailing us at compliance@kuberaforex.com. If we agree that your personal information is to be corrected, we will do so. If we do not correct your personal information, you also have a right to provide a statement of correction sought, and we will ensure that your correction request will be kept with the personal information held.

How long we hold personal information

We will keep your personal information only for as long as necessary to achieve the purpose for which it was collected.

If your personal information is no longer required by us, we will either destroy the information or alter it so it cannot be attributed to you personally.

Who you can contact for further information

If you have any queries about this Privacy Policy or personal information we have collected, please contact:

Privacy Contact Person:	Operations and Compliance Manager
Email address:	compliance@kuberaforex.com
Address:	Kubera Capital Markets Ltd. Office Suite 1307, Level 13(C), Block 4, Financial Park Complex, Jalan Merdeka, 87000 W.P. Labuan 87000 Federal Territory of Labuan, Malaysia

Additional terms that apply to some residents of the European Economic Area (EEA)

In addition to the rights already recorded above, if you are based in the EEA, you may have the following additional rights in relation to the personal information we hold about you:

- **Right to erasure**

You can ask us to delete or remove your personal information in some circumstances, such as where we no longer need it or, if we are relying on your consent to process the information, you withdraw your consent. If you are entitled to erasure we will comply with your request. If we have shared your personal information with others, we will let them know about your request where reasonably possible. If you ask us, where it is reasonably possible and lawful for us to do so, we'll also tell you who we've shared your personal information with, so that you can contact them directly.

- **Right to restrict processing**

You can ask us to 'block' or suppress the processing of your personal information in certain circumstances, such as where you contest the accuracy of that personal information or you do not want us to erase your information but require restriction of processing instead. If you



are entitled to restriction of processing of your personal information, and we have shared your personal information with others, we will let them know about the restriction where it is reasonably possible for us to do so. If you ask us, where it is reasonably possible and lawful for us to do so, we will also tell you who we've shared your personal information with so that you can contact them directly.

- **Right to data portability**

You have the right, in certain circumstances, to obtain personal information you have provided us with (in a structured, commonly used and machine readable format) and to reuse it elsewhere or to ask us to transfer this to a third party of your choice.

- **Right to object**

You can ask us to stop processing your personal information, and we will do so, if we are:

- relying on our own or someone else's legitimate interests to process your personal information, except if we can demonstrate compelling legal grounds for the processing;
- or
- processing your personal information for direct marketing purposes.

- **Right to withdraw consent**

If we rely on your consent as our legal basis for processing your personal information, you have the right to withdraw that consent at any time.

- **Right to lodge a complaint with the supervisory authority**

If you have a concern about any aspect of our privacy practices, including the way we've handled your personal information, you can report it to the relevant Supervisory Authority in the EEA.

Please be aware that some of these rights may be limited or unavailable where we have an overriding interest or legal obligation to continue to process the data.

Your personal information is processed by our internal compliance department in Labuan, Malaysia, however your personal information may be processed by our third-party providers. The European Commission has not recognised some countries including Labuan for not providing adequate protection.

We have enforceable contractual arrangements with these third-party providers to ensure appropriate safeguards are in place to protect your personal information. Please email us at compliance@kuberaforex.com if you would like to obtain a copy of the safeguards in place with our third-party providers.