

WISDOMPOINT CAPITAL LTD

PRIVACY POLICY

Reviewed by: CO
Date of last review: 27/11/2023
Date of next review: 27/11/2024
Approved by BOD: 30/11/2023

Introduction

Wisdompoint Capital Ltd (hereinafter referred to as the “**Company**”) is a Cyprus Investment Firm licensed and regulated by the Cyprus Securities and Exchange Commission (“**CySEC**”) under license number 219/13 obtained on 30/10/2013. The Company is located at Andrea Zappa street,1 Office 9, Limassol, 4040, Cyprus.

In accordance 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, the Company has implemented appropriate technical and organisational measures to ensure compliance with the General Data Protection Regulation (GDPR) as amended from time to time.

This Privacy Policy has been created in compliance with the requirements of the GDPR and describes what types of personal data the Company collects about a client, how the Company will use clients’ personal data, when and with whom the Company shares it and how the Company will keep it safe. It also details the clients’ rights in respect of the Company’s processing of clients’ personal information and how clients may exercise them.

By opening a trading account with the Company, the client hereby gives its consent to such collection, processing, storage and use of personal information by the Company as explained below.

The collection of personal information

The Company collects the necessary information required to open a client's trading account, perform transactions and safeguard the clients' assets and privacy and to provide clients with the services they require. In this respect, the Company gathers information from (prospective) clients and may, in certain circumstances, gather information from banks and/or credit agencies, and/or clearing agencies, and/or fraud prevention agencies, and/or other sources which will help the Company to construct the clients' profile based on their requirements and preferences in order to provide its services effectively.

The Company is using a sophisticated commercial database which allows continuous screening of clients to identify individuals and companies which appear as PEPs or suspected and convicted of money laundering, terrorism financing, drug trafficking and other illicit activities within business relationships. Information is aggregated from all relevant sanction and embargo lists, from over 600 enforcement agencies, from countless court cases and other open source intelligence resources from around the world.

Examples of the type of information that the Company collects and may allow the direct or indirect identification of an individual, and therefore qualify as personal data, are the client's name, surname, address, e-mail address, phone number; date of birth, gender, nationality; occupation and employment details; financial information such as income, assets and net worth, source of funds; tax relevant information; IP address and other location data; bank account information, e-wallets and credit card details; documents that the client has to provide for verification of its identity, such as passport/identity card, utility bills and/or bank statement and historical data of client's transactions including, trading history or investments.

When the client accesses or uses the Company's Services, the Company automatically collects information about the client, including:

- **Log Information:** The Company collects log information about the client's use of the Services, including the type of browser the client uses, app version, access times, pages viewed, the client's IP address, any other network identifiers, and the page the client visited before navigating to the Company's Services.
- **Device Information:** The Company collects information about the computer or mobile device the client uses to access the Company's Services, including the hardware model, operating system and version, unique device identifiers, and mobile network information.
- **Activities on the Site:** The Company collects records of activities on the Site, including, any content the client posts, the client account details, the time, value and currency of any deposit, withdrawal, or transaction made and the payment method.
- **Location Information:** In accordance with the client's device permissions, the Company may collect information about the precise location of the client's device.
- **Information Collected by Cookies and Other Tracking Technologies:** The Company uses different technologies to collect information, including cookies and web beacons. Cookies are small data files stored on the client's hard drive or in device memory that help the Company improve the Services and the client's experience, see which areas and features of the Services are popular and count visits. Web

beacons are electronic images that may be used in the Services or emails and help deliver cookies, count visits, and understand usage and campaign effectiveness.

Usage of personal information and lawful basis

The Company will use, store, process and handle personal data in accordance with the Regulation (EU) 2016/679 (hereinafter referred to as the “GDPR”), the Law providing for the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data of 2018 (Law 125(I)/2018), as amended from time to time and/or any other relevant legislation and/or regulations (hereinafter collectively referred to as the “Data Protection Legislation”).

The Company may process client’s personal data for one or more lawful bases of processing (“Lawful Basis”) depending on the specific purpose for which it is using the client’s data. The Company collects and process personal data which are required for the evaluation, establishment and maintenance of the contractual relationship between the Company and the Client. In some cases, the Company may also process client’s personal data to pursue its legitimate interests or those of third parties, provided that the Clients’ interests and fundamental rights are not overridden by those of the Company or the third party.

In view of the above, the Company may use client’s personal information for one or more of the following purposes to confirm/verify its identity; to process transactions; trading account management; for internal business as well as record keeping purposes; to analyse statistical data; to identify, assess, mitigate, prevent and investigate fraudulent activity of any kind that is forbidden by the relevant legislation; to defend possible legal claims and/or comply with court orders, judicial processes and or any other requirements of a competent authority;

The Company also needs to comply with the Anti-Money Laundering regulations therefore there are documents that must be kept to be able for the Company to demonstrate to the authorities that has acted in accordance with the legislation.

Furthermore, the Company uses clients’ personal information only as required to provide quality service and security to its clients. This information helps the Company to improve its services, customize browsing experience and enables it to inform its clients of additional products, services or promotions relevant to clients and in this respect the clients hereby consent to the usage of this data for such purposes.

If there is no lawful basis, for the usage of client’s personal data as indicated above, the client’s consent will be required.

Protection of personal information

Any personal information provided by the client to the Company will be treated as confidential and shared only within the Company and will not be disclosed to any third party except in the circumstances mentioned in the below sections.

Disclosure of information to Affiliates and Partners

The Company may share information with affiliates or any other company in the same group of the Company in the event such information is reasonably required in order to provide the products or services to its clients. The Company may share information with partners, affiliates and associates in order to offer additional similar products and services that meet clients' needs and which are delivered in a manner that is useful and relevant only where clients have authorized the Company to do so.

Disclosure of information to Non-affiliated third parties

The Company does not sell, license, lease or otherwise disclose clients' personal information to third parties, except as described below:

- a) Where required by law or a court order by a competent Court; in case such disclosure is required to be made by law or any regulatory authority, it will be made on a 'need-to-know' basis, unless otherwise instructed by the regulatory authority;
- b) Where requested by CySEC or any other regulatory authority having control or jurisdiction over the Company or the Client or their associates or in whose territory the Company has Clients;
- c) To relevant authorities to investigate or prevent fraud, money laundering or other illegal activity;
- d) To such an extent as reasonably required so as to execute Orders and for purposes ancillary to the provision of the Services;
- e) To credit reference and fraud prevention agencies, third authentication service providers, banks and other financial institutions for credit checking, fraud prevention, anti-money laundering purposes, identification or due diligence checks of the Client. To do so they may check the details the Client supplied against any particulars on any database (public or otherwise) to which they have access. They may also use Client details in the future to assist other companies for verification purposes. A record of the search will be retained by the Company;
- f) To payment service providers and banks/credit institutions processing the client's transactions;
- g) To the Company's professional advisors and/or auditors provided that in each case the relevant professional shall be informed about the confidential nature of such information and commit to the confidentiality herein obligations as well;
- h) To other service providers who create, maintain or process databases (whether electronic or not), offer record keeping services, email transmission services, messaging services or similar services which aim to assist the Company collect, storage, process and use Client information or get in touch with the Client or improve the provision of the Services under this Agreement;
- i) To third parties engaging with the Company to help carry out certain internal functions such as account processing, fulfilment, client service, or other data collection activities relevant to the Company's business;
- j) To credit reporting or collection agencies as reasonably required in order to provide the services to Company and/or its clients;
- k) To a Trade Repository or similar under the Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties (CCPs) and trade repositories (TRs)(EMIR);
- l) To other service providers for statistical purposes in order to improve the Company's marketing, in such a case the data will be provided in an aggregate form;

- m) To market research call centres that provide telephone or electronic mail (e-mail) surveys with the purpose to improve the services of the Company, in such a case only the contact details data will be provided;
- n) Where necessary in order for the Company to defend or exercise its legal rights to any court or tribunal or arbitrator or Ombudsman or governmental authority;
- o) At the Client's request or with the Client's consent;
- p) To permitted successors or assignees or transferees or buyers, with fifteen (15) Business Days prior written notice to the Client;
- q) Client Information is disclosed in relation to US taxpayers to the Inland Revenue in the Republic of Cyprus, which will in turn report this information to the Internal Revenue Service (IRS) of the U.S. according to the Foreign Account Tax Compliance Act (FATCA) of the USA and the relevant intergovernmental agreement between the Republic of Cyprus and the U.S.
- r) Client information is disclosed in compliance with the common reporting standard (CRS) for the automatic exchange of financial account information developed by the Global Forum of the Organization for Economic Co-Operation and Development (OECD); in the cases where your tax residence is located outside Cyprus, the Company may be legally obliged to pass on the information and other financial information with respect to your financial accounts to Cyprus tax authorities and they may exchange this information with tax authorities of another jurisdiction or jurisdictions pursuant to intergovernmental agreements to exchange financial account information. Under such circumstances, the Company shall expressly inform the third party regarding the confidential nature of the information.

Use of the shared information is strictly limited to the performance of the above and is not permitted for any other purpose. All third parties with which the Company shares personal information are required to protect such personal information in accordance with all relevant legislation and provisions of the Agreement sign between the Company and the third-party provider and in a manner similar to the way the Company protects the same. The Company will not share personal information with third parties which it considers will not provide its clients the required level of protection.

The safety of your personal data

The Company takes the appropriate measures to ensure a level of security appropriate to protect any personal data provided to the Company from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

The Company implements appropriate technical and organisational measures such as data encryption, access management procedure, clean desk policy, business continuity and disaster recovery, IT systems risk assessment, physical and logical access segregation, process in case of personal data breach policy etc. Additionally, the Company limits access to the Client's personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process the Client's personal data on the Company's instructions and they are subject to a duty of confidentiality.

The client's personal data may be stored electronically or in paper form.

Automated decision – Making and Profiling

In order to perform the contact between the Company and the client and as required by Law 87(I)/2017 and the relevant Circulars issued by CySEC, it is required for the provision of the investment services to the Client, to assess the Client's knowledge and experience, financial situation and investment objectives.

The Company will fulfil the above requirements through the following tools:

Onboarding Questionnaire (including Product Governance Questionnaire): these take place when the Client requires registering as client of the Company. Hence, the Company needs to check and ensure that the Client falls within the Company's positive target market and that the Company's services and products are appropriate, taking into consideration the Client's categorisation, knowledge, financial background and experience in regards to financial services. Based on the results, the Client will be informed whether he/she is eligible to receive the Company's services and become the Company's Client. The reason for assessing the Client is to enable the Company to offer to the Client services suitable to him/her and act in the Client's best interests.

The results above are monitored by the Compliance department of the Company. During these processes, the Company takes all the technical and operational measures to correct inaccuracies and minimise the risk of errors, to prevent any discrimination and to secure the personal data of the client.

Transfer of personal data outside the European Economic Area ("EU")

The Company's aim is to safeguard Personal Data when these are to be transferred outside the EU if adequate protective measures are established, appropriate to the safeguards dictated by Data Protection Legislation. The Client may contact the Company in order to be informed of the appropriate or suitable safeguards (as the case may be). The third parties that the Company may transmit shall comply with the Data Protection Laws or the legislation of their jurisdiction which has equivalent arrangements. Hence the Company may, in some cases, rely on a Commission Adequacy decision, or appropriate safeguards (e.g. applicable standard contractual clauses, binding corporate rules, the EU-US Privacy Shield or any other equivalent applicable arrangements) or other grounds provided by the GDPR.

The Client agrees to the transfer and/or processing of its personal data outside the EU, as described in this section, by providing its acceptance during the account opening process and the submission of the information required to open and maintain an account with the Company.

Recording of Telephone Conversations and Electronic Communications

Telephone conversations and electronic communications between the client and the Company will be recorded and kept by the Company for a period of up to five (5) years, unless otherwise provided by law, and recordings will be the sole property of the Company. The client accepts such recordings as conclusive evidence of conversations so recorded. Such recordings shall be provided to the client upon request. It is noted that the Company does not currently accept any orders via telephone.

Contact Clients

We may use your personal information to contact you for the provision of our products and services that you requested from us or where you have consented to be contacted for products and services that we feel may be of interest to you. Clients consent to the receipt of such contact when they consent to our terms and conditions of use when registering with the Company.

The Client has the right to object at any time to the processing of his/her personal data for marketing purposes, which includes profiling, any time whatsoever, simply by contacting the Company (See Section 18) and requesting that no further contact on behalf of the Company be made.

Where the Client opted out of receiving marketing communications, the Company will hold the Client's details on its suppression list so that it knows that the Client does not want to receive these communications.

Data Protection Rights

To ensure fair and transparent processing of their personal data, clients have certain data protection rights, described in more detail in the Data Protection Notice which can be found in the company's website www.wisdompointcapital.com. These include, among others, the following:

(A) Right of access to their personal data

Clients are entitled to obtain from the Company a confirmation as to whether or not personal data concerning the client are being processed, and where that is the case, the client is entitled to access all their personal data and be provided with further information and details regarding the processing.

(B) Right of rectification

Clients are entitled to request, without undue delay the rectification or inaccurate personal data and/or the completion of any incomplete personal data.

(C) Right of erasure

Clients have the right to request the erasing of all their personal data from the Company, however the Company is permitted to refuse to erase Clients' data where such data is held under the legal lawful bases:

- personal data are no longer required in relation to the purposes for which they were originally collected or processed;
- we relied on the client's consent as the basis for processing and the client withdraws his/her consent, if there is no other ground for the processing;
- we processed the personal data unlawfully;
- we are under a legal obligation to erase his/her personal data;

- the client has objected to the processing of his/her personal data (*right of objection*) and there are no overriding legitimate grounds for the processing or the client objects to our processing for direct marketing purposes.

(D) Right of restriction of processing

The Client may ask us to restrict the processing of his/her personal data, under the following circumstances:

- The client contests the accuracy of his/her personal data, for a period enabling to verify the accuracy of his/her personal data;
- the processing is unlawful, and the client opposes the erasure of the personal data and request the restriction of their use instead;
- we no longer need the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims;
- the client has objected to processing (right of objection) pending the verification whether our legitimate grounds override his/hers.

(E) Right of objection

The Client is entitled to object and ask us to stop processing his/her personal data at any time, and we will do so, if:

- we are relying on our legitimate interests (or those of a third party) to process his/her personal data, except where we can demonstrate compelling legitimate grounds for such processing, which override his/her interests, rights and freedoms or for the establishment, exercise or defence of legal claims;
- personal data concerning the client is processed for direct marketing purposes including profiling to the extent that is related to such direct marketing.

Where the client objects to our processing for direct marketing purposes, his/her personal data shall no longer be processed for such purposes.

(F) Right to data portability

The Client is entitled to receive his/her personal data which he/she may have provided to us in a structured, commonly used and machine-readable format and to transmit these elsewhere or to ask us to transfer them, where technically feasible, to a third party of his/her choice, without hindrance from us, where:

- Our processing is based on his/her consent; and
- We carry out such processing by automated means.

Kindly note, that under all circumstances, the exercise of such data portability right shall not, in any circumstances, adversely affect the rights and freedoms of others.

(G) Right in relation to automated decision-making and profiling

This enables the Client to ask the Company not to make a decision about the Client based purely on automated processing of the Client's data, which affect the Client's legal position (or has some other significant effect on the Client's).

In respect to the aforementioned rights, the Company will respond to requests for personal data and, where applicable, will correct, amend or delete the Client's personal data. The Client may refer to Section 18 for information how to contact us.

Restriction of responsibility

The Company is not responsible for the privacy policies or the content of sites to which <https://wisdompointcapital.com> links and has no control of the use or protection of information provided by the clients or collected by those sites. Whenever a client elects to link to a co-branded web site or to a linked web site, the client may be asked to provide registration or other personal information. Please note that such information is recorded by a third party and will be governed by the privacy policy of that third party.

Use of "COOKIES"

The Company uses cookies to secure clients' trading activities and to enhance the performance of the <https://wisdompointcapital.com> web site. Cookies used by the Company do not contain personal information or other sensitive information.

The Company may share web site usage statistics with reputable advertising companies and with its affiliated marketing companies. It is noted that the information collected by such advertising companies is not personally identifiable. To administer and improve the <https://wisdompointcapital.com> web site, the Company may use third parties to track and analyse usage and statistical volume information. The third party may use cookies to track behaviour and may set cookies on behalf of the Company. These cookies do not contain any personally identifiable information.

Mailing list

When the Client opens a trading account with the Company, he agrees to subscribing to the Company's mailing list in order to receive company news, product updates, and analysis & research updates. Where the Client wishes to unsubscribe from the mailing list, he must contact the Company (see Section 18 below).

Record Keeping

Under Applicable Regulations, the Company will keep records containing Client personal data, trading information, Client's Trading Account(s) opening documents, communications and anything else which relates to the Client for at least five (5) years after termination of the Agreement. Telephone communications and electronic communications between the Client and the Company may be kept by the Company for a period of up to seven (7) years where requested by CySEC.

Privacy Policy Updates

The Company may update this Privacy Policy from time to time. In the event that the Company materially changes this Policy including how it collects, processes or uses clients' personal information, the revised Privacy Policy will be uploaded in the Company's website. In this respect, the Company shall send any new version of the present Policy to its existing clients for their further acceptance, every time a material change is effected.

How to contact us

Where you have any queries about the contents of this Policy, or wish to inform the Company of a change or correction to your personal data, or would like a copy of the data the Company collects on you or would like to raise a complaint or comment, you may contact the our Customer Support Team.

Contact Details:

Email: customers@wisdompointcapital.com.

Telephone: +357 25 010 750

Address: Andrea Zappa 1, Office 9, 4040, Limassol, Cyprus (attention Data Protection Officer)

The Company shall try to respond to your request within 5 (five) working days In case that your request takes the Company longer than one month, the Company will notify you accordingly and keep you updated.

Where you are not satisfied with our response to your complaint and/or your request was not handled within the timeframes specified, you have the right to lodge a complaint with the Cyprus Data Protection Commissioner.

Contact Details:

Email: commissioner@dataprotection.gov.cy

Telephone: +35722818456.

Office Address: Kypranoros 15, 1061 Nicosia, Cyprus

Postal Address: P.O. Box 23378, 1682 Nicosia, Cyprus



For more information on the office of the Commissioner for Personal Data Protection you may visit the website:
<http://www.dataprotection.gov.cy>

Alternatively, you also have the right to lodge a complaint with the data protection authority of your country of residence.

Data Protection Notice

The Client may seek additional information on the terms and conditions of the processing of its data by the Company, in the Company's [Data Protection Notice](#).