

# Privacy Policy

“You” and “your” means **you**, the person accessing our website (“**Site**”) and/or using the services we offer (“**Services**”).

If you have not previously entered into a contract with any of our entities, then your Contracting Entity is EU Internet Ventures B.V. (KvK 70850984).

The Contracting Entity is your data controller, and is responsible for the collection, use, disclosure, retention and protection of your personal information in accordance with global privacy standards, the Privacy Policy and applicable national laws.

All capitalised terms have the same meanings as defined in the **Agreement**, which the Privacy Policy is a part of.

**We are committed to respecting and keeping you trust, and that starts with helping you understand our privacy practices – so please take a moment to read the Privacy Policy carefully.**

## 1. ACCEPTANCE OF PRIVACY POLICY

By accessing the Site and/or using the Services, you agree to accept the terms and conditions of the Privacy Policy.

**IF YOU DO NOT AGREE WITH OR ARE NOT COMFORTABLE WITH ANY ASPECT OF THE PRIVACY POLICY, PLEASE IMMEDIATELY DISCONTINUE ACCESS AND/OR USE OF THE SITE AND SERVICES.**

## 2. PERSONAL INFORMATION WE COLLECT & METHODS OF COLLECTION

Personal information is data that, either directly or indirectly, identifies a person or relates to an identifiable person, and includes:

- **information you provide to us** either through your use of the Site, the Services and/or the transactions carried out in connection with the Services or voluntarily (any information you provide to us that is not required is voluntary);
- **information which is collected about you automatically** through your use of the Site, Services and/or the transactions carried out in connection with the Services; and
- **information we obtain from third parties and public sources.**



## Information You Provide to Us

To use the Services, we'll ask you to provide us with some important information about you. This information is either required by law or necessary to provide the Services or is relevant for certain specific **purposes**.

Please be aware that we may not be able to serve you as effectively or even, offer you the Services if you choose not to share certain information with us.

Information provided may include:

- **Personal Identification Information:** full name, date of birth, age, nationality, country of residence, gender, signature, utility bills, photographs, video footage, phone number, home address, email address;
- **Formal Identification Information:** government issued identification such as passport, driver's licence, national identification card with photograph, tax identification number, national insurance number, social security number, visa information and/or any other information deemed necessary to comply with our legal obligations under anti-money laundering ("**AML**") and counter terrorism financing ("**CTF**") laws and procedures;
- **Financial Information:** bank account numbers, bank statements, transaction history, trading data, credit/debit card numbers;
- **Transaction Information:** information about the transactions you make using the Services, the purpose of the transactions, information on sources of your funds, sender and receiver of funds, ultimate beneficiary information, wallet ID;
- **Employment Information:** office location, job title, education, and description of your role; and
- **Correspondence:** survey responses, information provided to our support team or research team.
- **Interactive Features:** we and others who use our Services may collect personal information that you submit or make available through our interactive features (e.g., messaging and chat features, commenting functionalities, forums, blogs, and social media pages). Any information you provide using the public sharing features of the Services will be considered "public," unless otherwise required by applicable law, and is not subject to the privacy protections referenced herein.
- **Sweepstakes or Contests:** we may collect personal information you provide for any sweepstakes or contests that we offer. In some jurisdictions, we are required to publicly share information of sweepstakes and contest winners.
- **Conferences, Trade Shows, and Other Events:** we may collect personal information from individuals when we attend or host conferences, trade shows, and other events.

- **Business Development and Strategic Partnerships:** we may collect personal information from individuals and third parties to assess and pursue potential business opportunities.

## Information We Collect About You Automatically

We receive and store certain types of information automatically. This information helps us address customer support issues, improve the performance of the Site, provide you with a streamlined and personalised experience, and protect your transactions from fraud.

Information collected automatically may include:

- **Online Identifiers:** geo location/tracking details, browser fingerprint, OS, browser name and version, and/or personal IP addresses;
- **Usage Data:** click-stream data, mouse movements and scrolling data, and other data collected via cookies, pixel tags and similar technologies. Please read our [Cookie Policy](#) for more information.

**Cookie Policy (and other technologies).** We, as well as third parties that provide content, advertising, or other functionality on our Services, may use cookies, pixel tags, and other technologies (“Technologies”) to automatically collect information through your use of our Services.

- **Cookies:** cookies are small text files placed in device browsers that store preferences and facilitate and enhance your experience.
- **Pixel Tags/Web Beacons:** a pixel tag (also known as a web beacon) is a piece of code embedded in our Services that collects information about engagement on our Services. The use of a pixel tag allows us to record, for example, that a user has visited a particular web page or clicked on a particular advertisement. We may also include web beacons in e-mails to understand whether messages have been opened, acted on, or forwarded.

## Information We Obtain from Third Parties & Public Sources

We may obtain information about you from third parties and public sources, as required or permitted by applicable law. These sources may include:

- **Public Databases, Credit Bureaus & ID Verification Partners**
- **Blockchain Data:** we may analyse public blockchain data to ensure parties utilising the Services are not engaged in illegal or prohibited activity under the Agreement, and to analyse transaction trends for research and development purposes.
- **Third Party Exchange Partners and Service Providers**

- **Other Publicly Available Sources:** for example, social media and networking platforms and other online public information sources.
- **Referrals and Sharing Features:** our Services may offer various tools and functionalities that allow you to provide personal information about your friends through our referral service. Our referral services may also allow you to forward or share certain content with a friend or colleague, such as an email inviting your friend to use our Services. Please only share with us contact information of people with whom you have a relationship (e.g., relative, friend, neighbor, or co-worker).

### 3. HOW WE USE PERSONAL INFORMATION

We may use your personal information for the following **purposes**:

- A. To maintain legal and regulatory compliance
- B. To operate and provide the Services, including for risk analysis, identity authentication and payment processing
- C. To enforce the Agreement, Privacy Policy and other agreements, including preventing or mitigating any potential prohibited or illegal activities
- D. To detect and prevent fraud
- E. For analytics, statistical, research and development purposes
- F. To keep our Site safe and secure
- G. To provide Service communications, including our latest updates
- H. To ensure quality control
- I. To enhance your experience
- J. To engage in marketing activities
- K. To provide customer service, including investigating and resolving disputes
- L. To facilitate corporate acquisition, mergers, or transactions
- M. For any other purpose you consent to
- N. To create de-identified and/or aggregated information, such as demographic information, information about the device from which you access our Services, or other analyses we create

### 4. THE LEGAL BASES FOR PROCESSING PERSONAL INFORMATION FOR EUROPEAN ECONOMIC AREA (EEA), UNITED KINGDOM (UK) & SWITZERLAND RESIDENTS

For individuals who reside in the EEA, UK and Switzerland, we rely on the following legal bases for processing your information under Article 6 of the EU General Data Protection Regulation (“**GDPR**”):

- it is **necessary to perform obligations arising from any contracts** entered into between you and us – **B, C, G, K, H**;
- we are **legally required** to do so – **A, D, F**;

(you can read more about our AML/CTF and fraud prevention policies [here](#))

- it is **in pursuit of our legitimate business interests**, having taken into account your rights, interests and freedoms – **E, I, L, J**; or
- we have obtained **your consent** to do so, which can be withdrawn at any time – **I, J, M, N**.

## 5. WITH WHOM WE SHARE PERSONAL INFORMATION

We take care to allow your personal information to be accessed only by those who require access to perform their tasks and duties, and to share with selected third parties who have a legitimate purpose for accessing it.

We will never sell or rent your personal information.

These are the circumstances in which we share your personal information:

- With **third party identity verification and fraud detection & prevention services** to prevent fraud;
- With **financial institutions** with which we partner to process payments. For example, Worldpay (UK) Limited, Worldpay Limited, Worldpay AP Limited or WorldPay B.V. (collectively “**Worldpay**”) and for more information about how Worldpay processes, uses and stores your information, please see their Privacy Policy at <https://online.worldpay.com/terms/privacy>. For BPAY transfers and PayID we partner with Assembly Payment Platform Pty Ltd (**Assembly**) and for more information about how Assembly processes, uses and stores your information, please see their Privacy Policy at <https://assemblypayments.com/company/policies/privacy-policy>.
- With **third party exchange partners and service providers** under contract who help with parts of our business operations. Our contracts require these third parties to only use your personal information in connection with the services they perform for us. Service providers may include:
  - Network infrastructure
  - Cloud storage
  - Payment processing
  - Transaction monitoring
  - Security
  - Document repository services
  - Customer support
  - Internet (e.g. ISPs)
  - Data analytics
  - Information Technology
  - Advertising & Marketing



- With any **member of our group**, which means our subsidiaries, our ultimate holding company and its subsidiaries;
- With **entities** that we plan to **merge with or be acquired by**. You will receive prior notice of any change in applicable policies.
- With our **professional advisors** who provide banking, legal, compliance, insurance, accounting, or other consulting services in order to complete third party financial, technical, compliance and legal audits of our operations or otherwise comply with our legal obligations.
- With **law enforcement, officials or other third parties** when we are compelled to do so by a subpoena, court order, or similar legal procedure, or when we believe in good faith that the disclosure of personal information is necessary to prevent physical harm or financial loss, to report suspected illegal activity, or to investigate violations of the **Agreement** or any other applicable policies.
- We may share your personal information with **third-party advertising partners**. These third-party advertising partners may set Technologies and other tracking tools on our Services to collect information regarding your activities and your device (e.g., your IP address, cookie identifiers, page(s) visited, location, time of day). These advertising partners may use this information (and similar information collected from other services) for purposes of delivering personalized advertisements to you when you visit digital properties within their networks. This practice is commonly referred to as “interest-based advertising” or “personalized advertising.”
- APIs/SDKs. We may use third-party application program interfaces (“APIs”) and software development kits (“SDKs”) as part of the functionality of our Services. For more information about our use of APIs and SDKs, please contact us as set forth in “Contact Us” below.

Please note that our businesses, as well as our trusted exchange partners and service providers, are located around the world.

## 6. YOUR RIGHTS

You have rights concerning your personal information and can exercise them anytime by contacting us at [privacy@banxa.com](mailto:privacy@banxa.com). All requests will be fulfilled within one month.

Please note, however, that not all rights are absolute, and as such, requests are subject to applicable business and regulatory requirements, including legal and ethical reporting or document retention obligations.

These are the rights you have concerning your personal information:

- **Information Access & Portability.** You may request that we provide you a copy of your personal information that we process in a structured, commonly used and machine-readable format.
- **Correction.** It is important to us that your personal information is accurate, complete and up to date. If the personal information we hold about you is inaccurate or incomplete, you are entitled to have it corrected or updated.
- **Erasure.** You can ask us to delete or remove your personal information in certain circumstances such as if it is no longer needed. Such requests will be subject to the contract that you have with us, and to any retention limits we are required to comply with in accordance with applicable laws and regulations.
- **Restriction.** You can ask us to block or suppress the processing of your personal information in certain circumstances such as if you want us to establish its accuracy or disclose the purpose for processing it.
- **Objection.** You can ask us to stop processing your personal information, and we will do so, if we are:
  - relying on our legitimate interests to process your personal information except if we can demonstrate compelling legal grounds for the processing;
  - processing your personal information for direct marketing; or
  - processing your personal information for research unless we reasonably believe such processing is necessary or prudent for the performance of a task carried out in the public interest (such as by a regulatory or enforcement agency).
- **Withdrawal of Consent.** You may withdraw your consent to our processing activities provided that such processing activities rely on your consent, and not on a different legal basis.
- **Automated Decision-Making.** You may challenge any decision made about you based solely on an automated process where this has a legal or similarly significant effect and ask for it to be reconsidered and require human intervention.
- **Complaints.** You may lodge a complaint with a data protection supervisory authority.

## 7. MARKETING

We may send you marketing communications by email or other forms to ensure you are always kept up to date with our latest products and services. If we send you marketing communications we will do so based on your consent, registered marketing preferences or where we are permitted to do so under law in pursuit of our legitimate business interests that is, promoting the Services.

We may share personal information with third parties to help us with our marketing initiatives or communications.



To opt out of receiving marketing communications (from us or our promotional partners), you can choose one of the following ways:

- following the unsubscribe instructions in the email/SMS; or
- sending a written notice via email to [privacy@banxa.com](mailto:privacy@banxa.com) requesting to opt out.

Please note that even if you unsubscribe from our marketing mailing list, we may continue to send you service-related updates and notifications or respond to your inquiries or complaints, and similar communications.

## 8. THIRD PARTY SITES & SERVICES

While using the Service you may encounter links to or from third party websites and services. Please note that these third-party websites and services are independent from us, and they may use cookies and similar technologies (“**third party cookies**”) to collect information about you. Any personal information collected by third parties is governed by their privacy and cookie policies, and we encourage you to read them.

**Sila and Evolve.** Some of the third-party services we allow you to interact with include the financial services software company Sila Inc. (“**Sila**”) and banking services provider Evolve Bank & Trust (“**Evolve**”), a member of FDIC, which offer you electronic fund transfers (**EFTs**). When you create a Banxa account, link a bank account, or initiate an EFT, you are authorizing us to share your identity and banking information with Sila and Evolve to support your account. To the fullest extent permitted by applicable law, you are also acknowledging and/or agreeing to the terms of Sila’s privacy policy, <https://silamoney.com/privacy-policy/>, Evolve’s privacy policy, <https://www.getevolved.com/privacy-policy/>, and Evolve’s communications consent and disclosure, <https://silamoney.com/evolve-electronic-communications-consent-and-disclosure/> (the “**Sila and Evolve Terms**”). It is your responsibility to make sure the personal information you provide us is accurate and complete, which is necessary for our partners to process EFTs on your behalf. The Sila and Evolve Terms may be modified from time to time, and the governing versions are incorporated by reference into this Privacy Policy. Any term not defined in this section but defined in the Sila and Evolve Terms assumes the meaning as defined in the Sila and Evolve Terms. IT IS YOUR RESPONSIBILITY TO READ AND UNDERSTAND THE SILA AND EVOLVE TERMS BECAUSE THEY CONTAIN TERMS AND CONDITIONS CONCERNING YOUR BANXA ACCOUNT, INCLUDING BUT NOT LIMITED TO USE OF YOUR PERSONAL INFORMATION.

## 9. HOW WE PROTECT PERSONAL INFORMATION

We understand how important your privacy is – that is why we use a variety of security measures to protect the security and confidentiality of the personal information you entrust to us.

These measures include appropriate physical, electronic and procedural safeguards, in compliance with the applicable laws and regulations and include the following:



- we use computer safeguards such as Secure Sockets Layered (SSL) technology to ensure that your information is encrypted and sent across the Internet securely;
- we store decryption keys in separate systems;
- we use firewalls to actively protect our servers from hackers and other vulnerabilities;
- we enforce physical access controls to our buildings, files and databases;
- we utilise information access authorisation controls and limit access to only those employees who require it to fulfil their job responsibilities.

Further, financially sensitive information, for example your credit/debit card data is securely transferred and hosted off-site by third party payment processors. This information is not accessible even to us.

We regularly review our security protocols, in light of new and relevant legal and technical developments.

We also train and raise awareness for all our employees on the importance of maintaining, safeguarding and respecting your personal information and privacy.

We have appointed a Data Protection Officer, to ensure that we manage and processes your personal information in compliance with the applicable privacy and data protection laws and regulations, and in accordance with the Privacy Policy.

While we take reasonable measures to safeguard your personal information, we cannot guarantee that loss, misuse, unauthorised acquisition or alteration of your information will not occur.

Furthermore, we cannot ensure the security or confidentiality of information you transmit to us or receive from us by Internet or wireless connection, including email, phone, or SMS, since we have no way of protecting that information once it leaves and until it reaches us.

Please recognise that you play a vital role in protecting your own personal information. If you suspect that your personal information has been compromised, please contact us immediately at [privacy@banxa.com](mailto:privacy@banxa.com).

## 10. RETENTION OF PERSONAL INFORMATION

We will only retain your personal information for as long as necessary to fulfil the **purposes** described in the Privacy Policy, subject to legal and regulatory obligations. Information about our typical retention periods for different aspects of your personal information are described below:

- **Personal information** collected to comply with our legal obligations under financial or anti-money laundering laws may be retained for as long as required under applicable laws, usually for a period between five to seven years.
- **Contact Information** such as your name, email address and telephone number for marketing purposes is retained on an ongoing basis until you unsubscribe. Thereafter we will add your details to our suppression list to ensure we do not inadvertently market to you.
- **Content that you post** such as support desk comments, photographs, videos and other content may be kept for audit and crime prevention purposes.
- **Recording of telephone calls** with you may be kept for a period of up to six years.
- **Information collected via technical means** such as cookies, webpage counters and other analytics tools is kept for a period of up to one year from expiry of the cookie.

Please note that personal information you provide during the process of creating a buy or sell order will be retained for one year, even if the transaction is incomplete or abandoned.

## 11. INTERNATIONAL TRANSFERS

To facilitate our global operations, we may process, transfer and store the information we collect from you within our family of companies, third party exchange partners and service providers (“**Data Processors**”) based throughout the world, including Australia, EU and the UK.

By using the Site and Services, you consent to your personal information being transferred, stored and processed in other countries, including countries that have differing levels of privacy and data protection laws than your country. We will protect your personal information as described in the Privacy Policy and ensure that appropriate information sharing contractual agreements are in place.

## 12. THE EEA, UK & SWITZERLAND TRANSFERS

The information we collect from you may be processed by Data Processors operating outside of the EEA, UK & Switzerland who are engaged on our behalf. Further, it may be transferred to, and stored at a location outside the EEA, UK & Switzerland.

We will ensure that the processing, transfer and storage is lawful (Model Contractual Clauses) and that Data Processors in international countries are obliged to comply with the European Union (EU) General Data Protection Act 2016 and the UK Data Protection Act 2018.

### 13. UPDATES TO THE PRIVACY POLICY

We may update the Privacy Policy from time to time, so it is advisable to review it frequently. Significant changes will be announced on the Site or through other means, such as email. Use of the Site and Services after the update constitutes your consent to the updated Privacy Policy.

### 14. QUESTIONS, CONCERNS AND COMPLAINTS

Any questions, concerns and complaints, should be first addressed to [privacy@banxa.com](mailto:privacy@banxa.com), so that we can try to resolve the issue internally.

If you are not satisfied with our response to your complaint, you can submit a complaint with your national data protection authority. For EEA & UK residents, you have the right to submit a complaint either in the Member State of the European Union where you reside, where we are based or where an alleged infringement of Data Protection Law has taken place.

#### AUSTRALIA

Office of the Australian Information Commissioner (OAIC) by phone at 1300 363 992, or by visiting the website <https://www.oaic.gov.au/> or by email at [enquiries@oiac.gov.au](mailto:enquiries@oiac.gov.au).

#### CANADA

Office of the Privacy Commissioner of Canada (OPC) by phone at 1 800 282 1376, or by visiting the website <https://www.priv.gc.ca/en/>.

#### GERMANY

Germany does not have one central Data Protection Authority but a number of different authorities for each of the 16 German states (Länder) that are responsible for making sure that data protection laws and regulations are complied with. A list with the contact details and websites can be found here <https://www.datenschutzkonferenz-online.de/datenschutzaufsichtsbehoerden.html>

#### NETHERLANDS

Dutch Data Protection Authority (Autoriteit Persoonsgegevens) by phone at +31 70 888 85 00, or by visiting the website <https://autoriteitpersoonsgegevens.nl/en>.

#### SINGAPORE

Personal Data Protection Commission by phone at +65 6377 3131, or by visiting the website [www.pdpc.gov.sg](http://www.pdpc.gov.sg) or by email at [info@pdpc.gov.sg](mailto:info@pdpc.gov.sg).



## TURKEY

Personal Data Protection Authority (Kisisel Verileri Koruma Kurumu) by phone at +90 312 216 5050, or by visiting the website <http://www.kvkk.gov.tr>.

## UK

Information Commissioner's Office by phone at +44 1625 545 700, or by visiting the website <https://ico.org.uk/> or by email at [casework@ico.org.uk](mailto:casework@ico.org.uk).