



Your Gateway to Wealth

# FXGate Ltd.

*(Federal Territory of Labuan, Malaysia)*

## Privacy Policy

## Privacy Policy

FXGate is a registered Limited company regulated and authorized by the Labuan Financial Services Authority under license number MB/19/0031 with its registered address at Office 6G (2) Level 6, Main Office Tower, Financial Park Complex Labuan, 87000, Federal Territory of Labuan, Malaysia.

FXGate observes the requirements of the existing prevailing laws on Personal Data Protection Act 2010 locally concerning privacy and electronic transactions as well as further guidelines of Personal Data Protection Act 2010, Malaysia (PDPA).

This policy (together with our terms of use and any other documents referred to on it) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

By visiting [www.fxgate.com](http://www.fxgate.com) you are accepting and consenting to the practices described in this policy.

We train our employees who handle personal information to respect the confidentiality of customer information and the privacy of individuals. We regard breaches of your privacy very seriously and will impose appropriate penalties, including dismissal, should we deem it necessary.

For the purposes of this law, we have nominated a data protection officer to ensure that the management of personal information complies with this law and this policy.

The Client has the right to object to certain uses of his personal data including the use of his personal data for direct marketing. Below are the right and how the customers can exercise them.

### Who is collecting it?

Any personal data provided to or collected by FXGate is controlled by FXGate Ltd. with details of license and regulations mentioned above. This Privacy Policy applies to personal data collected by FXGate in connection with the services and products we offer.

This Privacy Policy also applies to FXGate's marketing content, including offers and advertisements for FXGate products and services, which the Company (or a service provider

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These third-party websites generally have their own Privacy Policy and Terms and Conditions. We encourage you to read them before using those websites.

## What personal data are being collected?

Personal data means any information that can be used to identify directly or indirectly a specific individual.

You, as a client are not required to provide FXGate the personal data that we requested, but if you chose not to do so, we may not be able to provide you our products or services, or with a high quality service or respond to any queries you may have.

We may collect personal data from a variety of sources. This includes:

- Personal data you give us directly;
- Personal data we collect automatically, and
- Personal data we collect from other sources.

Personal data means any information that can be used to identify directly or indirectly a specific individual. This definition includes personal data collected offline through our Client Engagement Centers (i.e. expos and seminars), direct marketing campaigns, an online through our website, applications and branded pages.

You may be asked to provide your personal data when you are in contact with us. FXGate may share this personal data and use it in a manner consistent with this Privacy Policy. You are not required to provide FXGate the personal data that we request, but if chose not to do so, we may not be able to provide you with our products or respond to any queries you may have.

## Ways in which we collect your personal data

We may collect personal data from a variety of sources. This includes:

- **Personal data you give us directly.** We collect data about how you use our services and products, such as the types of content you view or engage with, or the frequency and duration of your activity. Also, when signing up for a marketing newsletter or registering on our website. In so doing, we may ask for personal **Personal data we collect automatically.** We also receive and store certain types of

personal data whenever you interact with us online. For example, we use cookies and tracking technologies to obtain personal data when your web browser accesses our websites or advertisements and other content served by or on behalf of FXGate on other websites. Your personal data are also collected when you search, post or participate in a contest or questionnaire or communicate with our customer services teams. Types of personal data we collect includes as follows:

- IP address; device ID; location data; computer and connection information such as type and version, time zone setting, browser plug ins and versions and operating system.

We may also collect technical information to help us identify your device for fraud prevention and diagnostic purposes.

- **Personal data we collect from other sources.** We collect personal data from other sources including our trusted partnership, but only where we have checked that these third parties either have your consent or are otherwise legally permitted or required to disclose your personal information to us.

We use the information we receive from these third parties to enhance the services we provide to you, such as providing curated content that is relevant to service, we provide you or topics you are interested in.

## With whom does FXGate share your personal information with?

FXGate may disclose your personal information to the following categories of recipients:

- To our **group of companies, third – party services providers and partners** who provide data processing services to us (for example, to support the delivery of, provide functionality on, or help to enhance the security of our website), or who otherwise process personal information for purposes that are described in this Privacy Policy or notified to you when we collect your personal information.
- To any **competent law enforcement body, regulatory, government agency, court or other third party** where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person.

inform the buyer it must use your personal information only for the purposes disclosed in this Privacy Policy.

- To any **other person with your consent** to the disclosure.

## Lawful basis for processing personal information:

Our basis in collecting and using the personal information described above will depend on the information concerned and the specific context in which we collect it.

However, we will collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with you, or where the processing is in our legit interests and not overridden by your data protection interests or fundamental rights and freedoms.

We will ask you to provide personal information to comply with a legal requirement or to bind a contract with you, and the Company will ensure that this is clear and relevant time and will advise of whether the provision of your personal information is mandatory or not.

Likewise, if we collect and use your personal information in accordance with our legitimate interest (or those of any third party), the Company will make it clear to you at the relevant time what those legitimate interests are.

If you questions or clarifications concerning the lawful basis on which we collect and use your personal information, you may contact us at [Compliance@fxgate.com](mailto:Compliance@fxgate.com)

## Purposes in which we will use your personal information:

- **Serving you as a Client**
  - Type of data: Identity, contact details, national identifier, socio - demographic, transactional, financial, documentary data,
  - Purpose: Onboarding you as Client; setting up and giving you access to your trading account; delivering our products and services; facilitating your withdrawals and fund transfers; responding to your queries via chat, email and phone.
  - Lawful basis: performance of a contract with you.

- **Administering our Operations and Business**
  - Type of data: transactional, financial, contractual, technical, locational, usage data;
  - Purpose: Managing our risk and financial position; testing our systems and controls; reviewing and improving our processes; carrying out audits; in cases of collecting and recovering money owed to us; testing new products and services; to establish relationships with other companies that provide services to you.
  - Lawful basis: Performance of a contract with you; legal obligation; legitimate interest with complying the rules and guidance from regulators; providing an efficient way of conducting our business; being more innovative and develop new products tailored to our clients' needs.
  
- **Managing risk, Financial crime prevention, responding to regulatory requirements and legal claims**
  - Type of data: Transactional, financial, identity
  - Purpose: To detect, investigate, report and seek to prevent financial crime; to manage risk for the Company and our clients; to be compliant with applicable laws and regulations; to respond to complaints and provide solutions; to assess the profile prior to and during relationship with you; to submit information to regulators as necessary for investigatory purposes.
  - Lawful basis: Public interest that is set out in law; legal obligations; legitimate interest with complying the rules and guidance form regulators; preventing fraud, money laundering, financial crime and safeguard public interest.
  
- **Marketing**
  - Type of data: contact, consents, locational, technical, behavioral, communications.
  - Purpose: to develop and innovate marketing activities; to provide advice or guidance about the products and services we provide.
  - Lawful basis: legitimate interest – learning and understanding what clients' needs are; to explore new market segments and develop products of their interest.

## How do FXGate keep your personal information secure?

We protect your personal information by using appropriate technical and organizational measures. These measures are designed to provide a level of security appropriate to the risks of processing your personal information.

- We hold your personal information in secure facilities and where the information is held, on secure servers;
- We use encrypted transmission links whenever we can;
- We use other safeguards such as firewalls, authentication systems (e.g. passwords, codes) and access control mechanism to control unauthorized access to systems and data;
- We regularly review our information collection, storage and processing practices, including physical security measures, to guard against unauthorized access to systems.
- We restrict access to personal information to our employees, contractors who are subject to strict confidentiality obligations. The Company may discipline or terminate individuals who maliciously acquire information, without being entitled to its access.

## What are the cookie preferences set out by FXGate?

Some of the cookies that FXGate sets when you visit any of our websites are essential to the working functionality of the site. Without these cookies, clients would not be able to chat online, fill out trading application, or deposit funds. Performance cookies are another type that the Company uses to provide a better experience and to improve how content on our website is presented. Marketing cookies are also set out by third party advertising networks to ensure we are providing our clients with targeted adverts more relevant to your interests.

## International data transfers

Subject to certain conditions, we may transfer your personal information to a third party in countries outside our jurisdictions for further processing in accordance with the purposes set out in this Privacy Policy. In these circumstances, as required by applicable law, ensure that your privacy rights are adequately protected by appropriate technical, organization, contractual or other lawful means. These include putting in place data transfer agreements for transfers of personal information between our group companies, which require all group

companies to protect personal information they process in accordance with data protection law. The Company had also implemented similar appropriate safeguards with our third-party service providers and partners and further details can be provided upon request.

## Data retention

The personal information provided by the Client will be retained for as long as it is necessary to carry out the purposes set out in this Privacy Policy (unless longer retention is required by law). The Company will not retain any of the Client's personal information beyond this period and all personal information are subject to periodical review.

## Automated decision making

Automated decisions mean that a decision concerning you is made automatically based on a computer determination (using software algorithms), without our human review.

The Company make automated decisions at account opening, where we check that the offered products or services are appropriate for you based on the information provided to us. We may use information about the Client's financial standing or socio-demographic information to assess whether the Client is appropriate and understands the risk involved when trading accounts.

When the Company makes an automated decision about you, as a Client, you have the right to contest the decision, to express your point of view, and to require a human review of the decision.

## Your data protection rights

Subject to certain conditions, data protection law provides individuals with rights, including the right to: access, rectify, withdraw consent, erase, restrict, transport and object to the processing of, their personal information. Clients also have the right to lodge a complaint with the relevant information protection authority if they believe that their personal information is not being processed in accordance with the law. Further information about your rights is set out below:

- Right to obtain a copy of your personal information. You have the right to obtain a copy of the personal information we hold about you;



- Right to rectification. You may request that we rectify any inaccurate and/or complete any incomplete personal information. We will then correct our records and notify any third parties to whom such personal information may have been transmitted as described above.
- Right to data portability. You may request a copy of all information you have provided to us after which we will transmit those data to another controller of your choice.
- Right to opt out marketing communications. You can exercise this right by clicking “unsubscribe” or “opt out” link in the marketing e-mails we send you, or for SMS communications reply with “STOP”.
- Right to withdraw consent. You may withdraw consent to the processing of your personal information at any time. Such withdrawal will not affect the lawfulness of processing based on your previous consent. Please note that if you withdraw your consent, you may not be able to benefit from certain service features for which the processing of your personal information is essential.
- Right to object to processing. You may request that we stop processing your personal information. Please note that if you withdraw your consent, you may not be able to benefit from certain service features for which the processing of your personal information is essential.
- Right to erasure. You may request that we erase your personal information and we will comply, unless there is a lawful reason for not doing so.
- Your right to lodge a complaint with the supervisory authority. We suggest that you contact us about any questions or if you have a complaint in relation to how we process your personal information. You may contact us at [Compliance@fxgate.com](mailto:Compliance@fxgate.com)

If you wish to exercise any of these rights, please visit our website on the regulatory section. Please note that you may be required to prove your identity for us to service you. We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

## Updates to this Privacy Policy

We may update this Policy from time to time in response to changing legal, technical or business developments. When we update our Policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make.

*You can see when this Policy was last updated by checking the "last updated" date displayed at the top of this Policy.*