



PRIVACY POLICY OF ROBOMARKETS DEUTSCHLAND GMBH



ROBOMARKETS DEUTSCHLAND GMBH
Bleidenstraße 1, 60311,
Frankfurt am Main



Privacy policy of RoboMarkets Deutschland GmbH

RoboMarkets Deutschland GmbH is a financial services institution and as such subject to the data protection regulations of the European General Data Protection Regulation (DSGVO).

These data protection regulations apply to the processing of personal data that is stored in the context of the private customer business of RoboMarkets Deutschland GmbH.

I. Scope

This privacy policy applies to:

- All former, current and potential customers of RoboMarkets Deutschland GmbH who are natural persons;
- Non- RoboMarkets Deutschland GmbH customers who have contact with our company, e.g. authorized representatives, guardians, beneficiaries or payees, guarantors, beneficial owners, legal representatives, shareholders, debtors or tenants of our customers, visitors to our RoboMarkets Deutschland GmbH website or other persons involved in a transaction

We receive your personal data in the following ways:

- By yourself, when you become a RoboMarkets Deutschland GmbH customer, when you register for our online services, fill out an online form, sign a contract, use our products and services or contact us through one of our contact channels
- From other available sources such as debtor lists, land registers, commercial registers, registers of associations, online or traditional media or other publicly available sources or other companies within RoboMarkets Deutschland GmbH or third parties such as payment or transaction processors, credit agencies, other financial institutions, trading companies or public authorities

II. Nature of Personal Data

We collect personal data and use it to the extent necessary within the scope of our business activities to provide you with a high-quality, individual product and service offering.

Personal data is all information that tells us something about you or that we can associate with you. This includes, among other things, your name, address, date of birth, account number, IP address or information on payments made by from a bank account. By "processing" we mean collecting, recording, organizing, arranging, storing, adapting or modifying, reading, querying, using, disclosing by transmission, dissemination or any other form of making available, matching or linking, restricting, deleting or destroying.

The different types of personal data that may be collected include:

- Identity information (e.g., name, identity card or passport number, nationality, place and date of birth, gender, photograph, IP address);
- Contact information (e.g., address, e-mail address, telephone number);
- Information on the family situation (e.g., marital status, number of children);
- Tax information (e.g., tax identification number, tax status);
- Information on education and occupation (e.g., level of education, occupation, name of employer, earnings, etc.);
- Banking, financial and transaction data (e.g. bank details, credit card number, money transfers, assets, investor profile reported, credit history, debt and expenses);
- Data about your habits and preferences;
- Data on the use of our products and services in relation to banking, financial and transaction data;



- Data on the interaction between you and us, visits to our websites, use of our apps and our social media pages, personal encounters, telephone calls, chat contact, e-mail traffic, surveys, telephone conversations);
- Video surveillance data (including footage from security cameras) and geolocation data (for security reasons, for example, withdrawal or payment locations can be recorded and branch offices or service providers in your area can be registered);
- Data required to avoid an over-indebtedness situation.

The following sensitive data may only be obtained with your express prior consent:

- Biometric data: e.g. fingerprints, voice or face patterns, which can be used for identification and security purposes;
- Health data

Data is processed only by those persons who must have knowledge;

The data may either be provided directly by you or may be taken from the following sources for cross reference or to complete your profile:

- Publications/databases made available by public authorities (e.g. the Federal Gazette);
- Corporate customers or service providers of RoboMarkets Deutschland GmbH;
- Third parties such as credit bureaus and pools for fraud prevention or data brokers, which are used in accordance with data protection regulations;
- Websites/social media pages with information you publish (e.g. your own website or social media page) and
- Databases made publicly accessible by third parties

III. Special cases of personal data

In certain cases, we may collect personal information from individuals with whom we have, may have or have had a direct relationship, and use that information as appropriate. This includes, for example

– Potential customers

We may have obtained information about you although you do not have a direct relationship with us. This may be the case, for example, if your employer has provided us with information about you, or if we have received your contact details from one of our customers and you are one of the following:

- Family members;
- Co-applicant, guarantor;
- Legal representatives (authorised representatives);
- Beneficiaries of payment transactions of our customers;
- Beneficiaries of insurance contracts and foundations;
- Landlord;
- Beneficial owner;
- Debtors of customers (for example in the event of insolvency);
- Shareholders;
- Representatives of legal entities (for example, customers or service providers);
- Employees of service providers or trading partners



IV. Reason for data collection and legal basis

We use your personal data only for legitimate business purposes.

These include:

Fulfilment of contractual obligations or measures in the context of contract initiation (Art. 6 para. 1 sentence 1 letter b) DSGVO):

In order to fulfil our contracts, we have to process your data. This also applies to pre-contractual information that you provide to us in the context of an application. The purposes of the data processing are primarily based on the respective product. In the case of certain products such as consumer credit or securities accounts, they may also serve, among other things, to analyze your needs and to check whether this product is suitable for you. In order to carry out the contractual relationship, we require, among other things, your address, telephone number or e-mail address in order to be able to contact you. For example, we accept order data for the processing of payment services and transmit payment data to payers, payees and their banks in accordance with the order. When granting credits/disposition credits, we are obliged to check your creditworthiness. In doing so, we apply certain statistical risk models to your personal data (scoring). This enables us to estimate how likely it is that you will be able to repay the loan. If you would like to know more about the objectives of data processing, you will find this information in the General Terms and Conditions or in your contractual documentation. You can find details on the respective purposes of data processing in the contract documentation and in our terms and conditions of business and products.

Customer management and marketing (Art. 6 para. 1 sentence 1 letters a) and f) DSGVO):

We may ask you for your opinion on our products and services or record your conversations with us - online, by telephone or in our branches. We may use this information to improve our offers or to tailor our products and services to you. We may send you newsletters to inform you about these products and services. If you do not wish to receive these offers, you can of course object or withdraw your consent. In the following we will inform you how we can improve our service based on your feedback:

Providing the most appropriate products, services and direct marketing: In some cases, we use and process your data for marketing purposes so that we can develop and improve our products or services, our customer service, customer segmentation and profiling and the results of (targeted) marketing activities. We do this in order to establish a relationship with you or to maintain and develop this relationship, as well as for statistical and scientific purposes. You are entitled to object to or withdraw your consent to personalized direct marketing or advertising activities, including profiling in connection with these activities. You can also unsubscribe from receiving personalized offers at any time.

Improving and developing our products and services:

By analyzing how you use and interact with our products and services, we can better understand you and learn where and what we can improve.

FOR EXAMPLE:

When you open an account, we measure how long it takes before you can use your account. We analyze the results of our marketing activities to measure their efficiency and the relevance of our campaigns. Sometimes we use automated processes to analyze your personal information; for example, we use an algorithm to speed up credit decisions for loans and mortgages.

Execution of business processes, internal management and management reports (Art. 6 para. 1 sentence 1 letters b) and f) DSGVO):

we process your data to carry out banking transactions and to help our management make better decisions about our operations and services.



Measures for your safety (Art. 6 para. 1 sentence 1 letters c) and f) DSGVO):

We are obliged to protect your personal data and to prevent, detect and contain data protection violations. In addition, not only do we want to protect you from fraud and cybercrime, but we are also committed to ensuring the security and integrity of RoboMarkets Deutschland GmbH and the financial system as a whole by fighting crimes such as money laundering, terrorist financing and tax fraud. We do so

- to protect you and your assets from fraudulent activities, we analyze your personal data. This can happen if you have been the victim of identity theft (e.g. phishing), your personal information has been disclosed or your computer has been hacked,
- to prevent possible criminal offences and to identify them quickly and efficiently, we use e.g. name, IBAN, deposit number, age, nationality, IP address,
- to be able to guarantee IT security.
- To determine creditworthiness and default risks in the credit business, we exchange data with credit agencies (e.g. SCHUFA),
- to be able to understand and prove facts in the event of legal disputes.

Processing on the basis of legal requirements or in the public interest (Art. 6 para. 1 sentence 1 letters c) and e) DSGVO):

As RoboMarkets Deutschland GmbH, we are subject to numerous legal requirements (e.g. from the Money Laundering Act, the German Banking Act, the Securities Trading Act or the tax laws). We must also comply with banking supervisory requirements (e.g. from institutions such as the German Federal Financial Supervisory Authority, the German Federal Bank, the European Central Bank or the European Banking Supervisory Authority). The processing of data fulfils the following purposes, among others: credit assessment, identity and age verification, compliance with tax controls and reporting requirements, fraud and money laundering prevention, and risk assessment and management, including within RoboMarkets Deutschland GmbH. For example, the KYC regulations require RoboMarkets Deutschland GmbH to verify the identity of its customers before accepting them as customers. At the request of governmental authorities, RoboMarkets Deutschland GmbH may report transactions made by customers:

Processing to protect vital interests of yours:

We process your data to protect your interests if your life or that of another natural person should be threatened, e.g. for urgent medical reasons. We process your data for the vital interests of another natural person only if we cannot base this on one of the other purposes mentioned. If the processing is not compatible with one of the above-mentioned purposes, we will ask you for your express consent, which you can refuse or revoke at any time.

V. Period of data storage

We do not store your data longer than we need them for the respective processing purposes. If the data are no longer required for the fulfilment of contractual or legal obligations, they are regularly deleted, unless their - temporary - storage is still necessary. Reasons for this can be, for example, the following:

- Fulfilment of legal storage obligations: In particular the German Commercial Code, the German Fiscal Code, the German Banking Act, the Money Laundering Act and the Securities Trading Act. The periods of retention or documentation specified there are up to ten years.
- Obtaining evidence for legal disputes within the framework of the legal statute of limitations: Civil law statutes of limitations can be up to 30 years, with the regular limitation period being three years. As soon as your personal data is no longer required for the purpose for which it is processed, we delete or make it anonymous in accordance with the relevant laws and regulations.



VI. Disclosure of personal data

In order to provide you with the best possible services and to maintain our competitiveness in our industry, we share certain information internally (including with other companies in the group) and externally (with other companies outside the group) with third parties. If we transfer your personal data externally to third parties (to other companies outside the Group) in countries outside the European Economic Area (EEA), we will ensure that the necessary protective measures have been taken. For this purpose we use the following, among others:

- Requirements based on relevant national laws and regulations.
- EU standard clauses: If necessary, we use the following in agreements with service providers standard contractual clauses to ensure that the DPA is complied with when personal data are transferred outside the EEA.
- International agreements such as the EU-US Privacy Shield for the protection of personal data transmitted to certain service providers in the United States.

1. RoboMarkets Ltd. companies

In order to provide you with the best possible service and to remain competitive, we occasionally exchange data within the group of companies, in particular to provide emergency support in the event of technical problems. Whenever this is the case, we ensure that the transmission of data is carried out in accordance with data protection requirements and that your personal data is protected.

2. Official Bodies

In order to comply with our legal obligations, we may disclose information to the relevant authorities, for example to combat terrorism and prevent money laundering. In some cases we are legally obliged to disclose your data, for example to:

- Supervisory authorities and bodies such as the national banks and financial sector regulators in the countries where we operate.
- Tax authorities who may ask us to provide information about client assets or other personal information such as your name and contact details. For this purpose, we may process your identification data such as your social security number, tax identification number or other national identification number in accordance with the relevant national laws.
- judicial authorities and similar institutions such as police, public prosecutors' offices, courts and arbitration/mediation bodies, upon their explicit and legitimate request

3. Financial Institutions

In order to process certain deposit and withdrawal transactions, we may need to provide information about you and your legal representative(s) to a bank or specialized financial services company. We may also share information with financial industry specialists who assist us with financial services, such as:

- Exchange of secure messages on financial transactions
- Payments and transfers worldwide
- Processing of electronic transactions worldwide
- Settlement of local and cross-border securities transactions and payment transactions
- Provision of services by other financial services companies, including banks, pension funds, stockbrokers, custodians, fund managers and portfolio service providers

4. Service Providers and Other Third Parties who support us

If we use service providers or other third parties to perform certain activities as part of our normal business activities, we may need to transfer personal data for certain tasks. Service providers assist us with activities such as:

- Design, development and maintenance of Internet-based tools and applications
- Provision of applications or infrastructure services (e.g. cloud services)
- Marketing activities or events and management of communication with customers



- Creation of reports and statistics, printing of materials and product design
- Advertising in apps, on websites and in social media
- Special services, including legal and auditing services provided by lawyers, notaries, trustees, auditors or other specialist consultants
- Detection, investigation or prevention of fraud or other illegal behavior by specialized companies such as credit agencies (e.g. SCHUFA or CRIF Bürgel)
- Provision of specialised services such as mailing or file archiving by our agents, contractors and external service providers

5. Account Information and Payment Initiation Service Provider within the EU

The revised EU Payment Services Directive (PSD2) allows you to instruct a third party provider to retrieve account information or initiate payments on your behalf in relation to your accounts with RoboMarkets Deutschland GmbH. The Third Party Provider may only proceed if you have expressly agreed to such services. If we receive a request on your behalf from a Third Party Provider, we are required to make the requested payment or provide the account information.

You can also use the PSD2 services to manage your accounts with other banks through your RoboMarkets Deutschland GmbH channels or apps. You can use apps or RoboMarkets Deutschland GmbH channels,

- to view account information about your current accounts with other banks or
- to make online payments from your current accounts with other banks. In this case we act as a third party provider and can only provide these services if we have received your express consent to do so. If you decide that you no longer wish to use these PSD2 services, you can simply disable this feature in the online setup of RoboMarkets Deutschland GmbH.

6. Independent Contractors, Brokers and Business Partners

We may share your personal information with our independent contractors, brokers or business partners who act on our behalf or who work with us to provide products and services, such as insurance. These contractors are registered in accordance with national legislation and have proper authorization from the relevant regulatory authority.

7. Research Institutes

We are always on the lookout for new insights that will help you make progress in life and in business. For this reason, we exchange personal information (where permitted by law) with partners such as universities and other independent research institutions that use it for their research and innovation. The researchers we engage must meet the same strict requirements as the employees of RoboMarkets Deutschland GmbH. Personal information is exchanged on an aggregated level and research results are anonymous.

Very important: Under no circumstances do we sell personal data to third parties.

VII. Rights of the data subject in the processing of data

1. right to information

You are entitled to request from us an overview of your personal data processed by us. For example, you may receive a copy of the personal data we hold about you.

2. right of rectification

If your information is not (no longer) correct, you can request a correction. If your data is incomplete, you can request a completion. If we have passed on your details to third parties, we will inform these third parties of your correction - if this is required by law.

3. right of cancellation

For the following reasons, you can demand the immediate deletion of your personal data:

- When your personal data are no longer needed for the purposes for which they were collected.
- If you withdraw your consent and there is no other legal basis.



- If you object to the processing by giving a conclusive reason and there are no predominant reasons for processing worthy of protection.
- If your personal data has been processed unlawfully
- If your personal data must be deleted to comply with legal requirements.

4. the right to restrict processing

You have the right to request a restriction of the processing of your personal data for one of the following reasons:

- If the accuracy of your personal data is disputed by you and we have had the opportunity to verify the accuracy.
- If the processing is not lawful and you request a restriction of use instead of deletion.
- If we no longer need your data for the purposes of processing, but you need it to assert, exercise or defend against legal claims.
- If you have lodged an appeal, as long as it is not yet clear whether your interests outweigh the appeal.

5. right to data transferability

You have the right to receive a copy of the data concerning you in a structured and generally accepted transferable format and to forward this data to other organizations. You also have the right to ask us to transfer your personal data directly to other organizations that you specify. We will transfer your personal data to the extent technically possible and permitted by relevant national legislation.

6. right of appeal

As far as we process your data only on the basis of legitimate interests or in the public interest, you have the right to object to the processing of your data if a special situation exists. If we use your data for direct marketing or advertising activities, you may object to the processing without giving reasons. However, you may not request us to delete your personal data if

- we are still legally obliged to store them;
- this is necessary for the fulfilment of a contract with you.

Please note our separate note in the section "Information about your right of objection".

7. right of appeal

In individual cases it can happen that you are not satisfied with our answer to your request. In this case you are entitled to file a complaint with the data protection officer of RoboMarkets Deutschland GmbH as well as with the responsible data protection supervisory authority. Details of your rights can be found in the respective regulations of the Basic Data Protection Regulation (Articles 15 to 22 DSGVO).

VIII. Obligation to transmit personal data

Within the scope of our business relationship we require the following personal data from you:

- Data that is required for the establishment and execution of a business relationship
- Data necessary for the fulfilment of the contractual obligations associated with it
- Data that we are legally obliged to collect. Without this personal data, we are generally not in a position to enter into or execute a contract with you. Under the Money Laundering Act, we are obliged to identify you by means of your identification documents before we enter into a business relationship.
(e.g. by POSTIDENT procedure or video legitimation). Your name, place and date of birth, nationality, address and identification data will be collected and stored. Should any changes occur in the course of our business relationship, you are obliged to inform us immediately. If you do not provide us with the necessary information and documents, we may neither commence nor continue the business relationship you are seeking.



IX. Reason for the automated processing of personal data

To enable us to offer our services and products quickly and easily, we sometimes use the technical option of fully automated decision-making in our online routes or Internet banking. Should we use this procedure in your case, we will inform you of this - if this is required by law. Finally, pursuant to Art. 22 DSGVO, you have the right to request a personal review of the automated individual decision. We process your data partially automatically with the aim of evaluating certain personal aspects (profiling).

This applies to the following cases, for example:

- Due to legal and regulatory requirements, we are obliged to combat money laundering, terrorist financing and other crimes that endanger assets. In this context, we also carry out data evaluations (including in payment transactions). These measures are taken in particular for your protection.
- Through targeted marketing we want to make you only offers that are tailored to your needs.
- We use scoring to assess the creditworthiness of our potential customers. This involves calculating the probability with which a customer will meet its payment obligations in accordance with the contract. Scoring is based on a mathematically and statistically recognized and proven procedure. The score values determined support us in making decisions when someone wants to conclude a product. They are also incorporated into ongoing risk management.

X. Protection of personal data

We take appropriate technical and organizational measures (policies and procedures, IT security, etc.) to ensure the confidentiality and integrity of your personal data and its processing. We apply an internal framework of guidelines and minimum standards throughout the company to protect your personal data. These guidelines and standards are regularly updated to bring them into line with current legislation and market developments. In addition, RoboMarkets Deutschland GmbH employees are bound by professional secrecy and may not disclose your personal data unlawfully or unnecessarily. If you suspect that your Personal Information has fallen into the wrong hands, you should always contact RoboMarkets Deutschland GmbH to assist us in protecting your Personal Information on an ongoing basis.

XI. Changes to this data protection declaration

We may amend this Privacy Policy to comply with changes in law and/or to reflect how our company processes personal information. We will then change the revision date at the bottom of this page accordingly. However, we recommend that you review this statement regularly to ensure that you are always aware of how we process and protect your personal information.

This version was created in June 2020.

Information on the right of objection under Article 21 of the EU Data Protection Regulation (DSGVO)

1. right of objection on a case-by-case basis

You have the right to object at any time, for reasons arising from your particular situation, to the processing of personal data relating to you which is carried out on the basis of Article 6 paragraph 1e DSGVO (data processing in the public interest) and Article 6 paragraph 1f DSGVO (data processing based on a balancing of interests). This also applies to profiling within the meaning of Article 4 paragraph 4 DSGVO. In the event of a permissible objection, we will no longer process your personal data. Unless,

- we can demonstrate compelling legitimate reasons for processing this data that outweigh your interests, rights and freedoms, or
- Your personal data is used to assert, exercise or defend legal claims.

2. right to object to the processing of data for advertising purposes

In individual cases we use your personal data for our direct advertising. You have the right to object at any time to the processing of your personal data for the purpose of such advertising. This also applies to profiling, insofar as it



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is related to such direct marketing. In case of an objection, we will no longer process your personal data for these purposes.

3. contact

The objection can be made without formality and should be addressed, if possible, to

RoboMarkets Deutschland GmbH

Data protection officer

Bleidenstraße 1

60311 Frankfurt am Main

E-Mail: dpo@robomarkets.com

Frankfurt am Main, 01.08.2020