

XTB Limited Privacy Policy

January 2024

This policy is reviewed annually. All personal information we hold will be governed by our most current privacy notice.

As part of our normal business activities, we need to collect personal information from our customers and potential customers to ensure that we can meet their financial needs. Your privacy is important to us, and it is our policy to respect the confidentiality of information and the privacy of individuals.

This notice outlines how we manage your personal information supplied to us by you or a third party in connection with our provision of services to you or which we collect from your use of our services and/or our app(s) or website(s) along with your rights in respect of the processing of your personal information. It also details your rights in respect of our processing of your personal information.

Please note that if you are an XTB Ltd. employee, a contractor to XTB Ltd. or a third-party service provider, your personal information will be used in connection with your employment contract, your contractual relationship.

Any reference to 'us', 'our', 'we' or 'XTB Ltd.' in this privacy notice is a reference to each group company within the XTB Group as the context requires unless otherwise stated. Similarly, any reference to 'you', 'your', 'yours' or 'yourself' in this privacy notice is a reference to any of our customers and potential customers as the context requires unless otherwise stated.

We encourage you to read the following sections of this privacy policy.

- Who is responsible for your personal data?**
- What personal data do we collect?**
- For what purposes will we use your personal data?**
- With whom will we share your personal data with?**
- How do we store personal data and for how long?**
- Transfers outside the European Economic Area**
- How do we obtain your consent?**
- Rights in relation to the use of your personal data?**

- What information we hold about you?

- Mobile Privacy Policy

Who is responsible for your personal data?

XTB Ltd. is responsible for your data. The security of personal information about you is our priority. We protect this information by maintaining physical, electronic, and procedural safeguards that meet applicable law. We train our employees in the proper handling of personal information. When we use other companies to provide services for us, we require them to protect the confidentiality of personal information they receive.

Which personal data do we collect?

- **name, address and contact details.**
- **date of birth and gender.**
- **information about your income and wealth including details about your assets and liabilities, account balances, trading statements, tax and financial statements.**
- **profession and employment details.**
- **location data.**
- **trading performance.**
- **any other similar information.**
- **Credit reporting or reference agencies.**
- **An IB with whom we have a mutual relationship.**
- **Anyone authorised by you.**

We collect this information through your use of our services or other dealings with us through our website, apps, and the account opening applications, our demo sign up forms and from information provided in the course of ongoing customer service correspondence.

We also keep records of your trading behaviour, including a record of:

- **products you trade with us and their performance.**
- **historical data about the trades and investments you have made including the amount invested.**
- **Your preference for certain types of products and services.**

We may also obtain personal information about you through your use of our websites, apps or through the use of cookies on our websites and/or apps, in particular by recording which pages you look at on our websites. We may record any communications, electronic, by telephone, in



person or otherwise. Such telephone conversations may be recorded without the use of a warning tone or any other further notice. These recordings will be XTB Ltd.'s sole property and will constitute evidence of the communications between us.

Special Category Data

XTB will utilise special category data in certain circumstances. This would be to ensure that clients receive specifically catered services which ensure that they receive a good outcome. For example, information about changes made for a consumer because of their health may not specially identify the health issue but would be likely to institute Special Category Data as their health issue could be inferred.

We require that organisations outside the **XTB Group** who handle or obtain personal information acknowledge the confidentiality of this information, undertake to respect any individual's right to privacy and comply with the relevant data protection laws and this privacy notice. Third party service providers such as credit referencing agencies may keep a record of any searches performed on our behalf and may use the search details to assist other companies in performing their searches.

For which purposes will we use your personal data?

Our Primary purpose in collecting personal information is to provide you with a secure and efficient customised experience. We use your data to improve our services, content and advertising, and for loss prevention and anti-fraud purposes. Examples of how we use your data include:

- **To provide you with XTB Ltd.'s Services and customer support that you request.**
- **To process transactions and send notices about your transactions.**
- **To verify your identity by comparing your personal information against third-party databases.**
- **To send administrative or account-related information to you.**
- **To better understand our customers and end-users and the way they use and interact with CB-owned or -operated websites, mobile apps, and Services.**
- **To provide a personalised experience and implement the preferences you request.**
- **To customise, measure, and improve XTB's Services and the content and layout of our website and applications.**
- **To enhance security, prevent fraud, monitor and verify identity or service access, combat spam or other malware or security risks.**
- **To deliver targeted marketing, service update notices, and promotional offers based on your communication preferences (where this is in accordance with the law).**
- **To interact with you on third party social networks (subject to that network's terms of use).**

XTB Limited is authorised and regulated by the UK Financial Conduct Authority (FRN522157) with its registered and trading office at Level 9, One Canada Square, Canary Wharf, London, E14 5AA, United Kingdom (company number 07227848).



- To communicate with you about our events or our partner events.
- To prevent and investigate potentially prohibited or illegal activities, and/or violations of our posted user terms.
- To resolve disputes, collect fees, and troubleshoot problems.
- To comply with legal obligations.



- To enforce our agreements with third parties.
- For quality control and staff training.
- To assess whether you may have vulnerable characteristics.

With whom will we share your personal data?

As part of using your personal information for the purposes set out above, we may disclose your information to:

- **X-Trade Brokers (HQ) and other companies within the XTB Group, who provide financial and back-office services.**
- **Service providers and specialist advisers who have been contracted to provide us with administrative, IT, financial, regulatory, compliance, insurance, research, or other services.**
- **Introducing brokers with whom we have a mutual relationship.**
- **Credit providers, courts, tribunals, and applicable regulatory authorities as agreed or authorised by law or our agreement with you.**
- **Credit reporting or reference agencies.**
- **Anyone authorised by you.**

We require that organisations outside the XTB Group who handle or obtain personal information acknowledge the confidentiality of this information, undertake to respect any individual's right to privacy and comply with all relevant data protection laws and this privacy notice.

How do we store personal information and for how long?

Safeguarding the privacy of your information is important to us, whether you interact with us personally, by phone, by mail, over the internet or any other electronic medium. We hold personal information in a combination of secure computer storage facilities and paper-based files and other records and take steps to protect the personal information we hold from misuse, loss, unauthorised access, modification, or disclosure. When we consider that personal information is no longer needed, we will remove any details that will identify you or we will securely destroy the records. However, we may need to maintain records for a significant period.

For example, we are subject to certain anti-money laundering laws which require us to retain:

- A copy of the documents we used to comply with our customer due diligence obligations; and
- Supporting evidence and records of transactions with you and your relationship with us, for

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a period of five years after our business relationship with you has ended.

If we hold any personal information in the form of a recorded communication, by telephone, electronic, in person or otherwise, this information will be held in line with local regulatory requirements which will either be 5 years or 10 years after our business relationship with you has ended.

Where you have opted out of receiving marketing communications, we will hold your details on our suppression list so that we know you do not want to receive these communications.

Transferring your personal data abroad

We may transfer your personal information outside the European Economic Area to XTB Ltd. Group companies as well as processors who are engaged on our behalf ('Transferees'). For example, currently we have other XTB Group companies located in Germany, Belize, Uruguay, Poland, Cyprus, France, and Chile. To the extent we transfer your information outside the European Economic Area; we will ensure that the transfer is lawful and that there are appropriate security arrangements.

In order to transfer personal information to third parties in territories that do not have a finding of adequacy by the applicable authority and regulations, we enter into agreements with the Transferees ensuring appropriate and suitable safeguards based on standard contractual terms adopted by the European Commission.

We use approved Model Contractual Clauses for the international transfer of personal information collected in the European Economic Area and Switzerland or require that any third party located in the U.S. receiving your personal information is certified under the E.U.-U.S. and/or the Swiss-U.S. Privacy Shield Frameworks and require that the third party agree to at least the same level of privacy safeguards as required under applicable data protection laws.

How do we obtain your consent?

The GDPR specifies six different lawful bases for processing personal data. XTB Ltd. Will process your data under two lawful bases:

-Legal Obligation: the processing is necessary for XTB Ltd. to comply with the law. As per AML regulation and MIFID I & II directives we are required to obtain information and legal documents from you prior to opening an account and for ongoing monitoring purposes. As per MIFID I & II we are required to hold personal data about all our clients for five years after the business relationship has been ended.

-Consent: The individual has given clear consent for you to process their personal data for a specific purpose. We ask our clients and prospective clients to provide us with consent for



marketing purposes, which includes being contacted by telephone, email, and SMS. Consent is requested during XTB Ltd.'s application process.

Legitimate Interests for Personal Data: As per the new consumer duty regulation, XTB must attempt or take into consideration information about specific characteristics including health, personal events and vulnerable characteristics, which may prevent a client from receiving a good outcome.

Updating personal data about you

If any of the personal data that you have provided to us changes, for example if you change your email address or if you wish to cancel any request you have made of us, or if you become aware we have any inaccurate personal data about you, please let us know by sending an email to data.privacy@xtb.co.uk. XTB Ltd. will complete data refreshments for clients on a regular basis to ensure that client data is updated regularly. This will appear on regular basis in the Client Office portal.

Your rights in relation to the use of your personal information

RIGHTS OF ACCESS

You have a right of access to the personal information that we hold about you under European data protection legislation, and to some related information. You can also require any inaccurate personal information to be corrected or deleted.

RIGHT TO ERASURE

You can request for all personal data that XTB Ltd processes to be erased, however XTB is not permitted to erase your data if it is held under the legal lawful bases. Furthermore, you can object to the processing of any data where the lawful bases is 'Consent'. Hence you can object to our use of your personal information for direct marketing purposes at any time and you may have the right to object to our processing of some or all your personal information.

If you wish to exercise any of these rights, please contact us as at data.privacy@xtb.co.uk.

SUBJECT ACCESS REQUESTS

You can request to see a copy of the personal data that XTB holds on you. If you wish to see this data then you must submit a written request (post or email) requesting this information to data.privacy@xtb.co.uk. We may charge a reasonable fee to comply with a request when it is manifestly unfounded, excessive or repetitive.

RIGHT TO COMPLAIN



You have the right to make a complaint to the supervisory authority if you feel that we have not met our obligations in relation to your data.

CHILDREN'S PERSONAL INFORMATION

We do not knowingly request to collect personal information from any person under the age of 18. If a user submitting personal information is suspected of being younger than 18 years of age, XTB Ltd. will require the user to close his or her account immediately.

The information we hold about you

Use of cookies - COOKIES FILES

XTB uses cookies files to gather information.

Cookies are small files of information, which often include a unique identification number or value, which are stored on your computer's hard drive as a result of you using this trading software and accessing this website. The purpose of this information is to provide you with a more relevant and effective experience on this website, including presenting web pages according to your needs or preferences. Cookies are frequently used on many websites on the internet, and you can choose if and how a cookie will be accepted by changing your preferences and options in your browser. You may not be able to access some parts of this site if you choose to disable the cookie acceptance in your browser, particularly the secure parts of the website. We therefore recommend you enable cookie acceptance to benefit from all the services on the website.

XTB uses cookies files for the following purposes:

- To provide the User with more precise and comfortable use of the Site, tailoring the content of the XTB internet websites to the User's preferences as well as to optimize the use of the Portal. In particular, such files enable to detect the equipment of the User of the Internet Service and properly display the internet website adjusted to the User's individual needs.
- To examine the activity of the Portal's User in order to create statistics, which help us to understand in what way the Portal's Users use the internet websites, which contributes to the improvement of the structure and content of those sites as well as identification of the source, which the User has used to enter the Site.
- To maintain the session of the Portal's User (after logging-in).

The cookies are often used by many sites in Internet. The User may elect whether and in what way the cookie will be accepted through the change of preferences and options in his/her browser. If the User decides to shut down the cookies support in his/her browser, the access to some parts of the Site may be impossible.

XTB uses two main kinds of cookies files:

1. persistent cookies are stored in the User's terminal equipment for the period of time defined in the parameters of the cookie's files, or by the time they are deleted by the User.
2. Session cookies – stored in the User's terminal equipment by the time of logging-out.

In cases where the software used for viewing the internet websites implicitly allows the storage of cookies files in the User's terminal equipment. The Users of the Site may, at any time, change the settings regarding cookies files. Such settings may be changed in such a way, so as to block the automatic processing of cookies files in the settings of the internet browser or inform each time about their placing in the User's equipment. The detailed information about the possibility and ways of processing cookies files, including, the disabling, blocking and deleting cookies files, is available in the settings of the software for a concrete internet website.

Information on disabling the handling of the cookie's files for the most popular internet websites:

1. For internet browser Internet Explorer 9:
 - a) click "Tools" and then "Options" in the browser window.
 - b) then click the "Privacy" tab and move the slider to the highest position to block all cookies files, or to the lowest position to accept all cookies files.
 - c) then click "ok".
2. For internet browser Internet Mozilla Firefox:
 - a) at the top of the Firefox browser window, press the button Firefox (in XP Windows click Menu Tools) and choose "Options".
 - b) choose "Privacy" panel.
 - c) choose from the dropped down menu "Firefox Programme" option "will use settings of the user's history".
 - d) uncheck the function "Accept cookies".
 - e) press key "ok".
3. For internet browser Internet Google Chrome:
 - a) choose "Settings".
 - b) click "Show Advanced Settings".
 - c) in section "Privacy", click "Content Settings".
 - d) in section "Cookies files", click "All cookie files and site data" to open the dialogue window "Cookie files and other data".
 - e) choose "Block the attempts to enter the site data into the computer".

XTB announces that the limitations in the use of cookies files may have an impact on the operations of some functionalities available on the Portal's sites.



Not making changes of the settings of the internet browser for the settings blocking the writing of the cookies files is equivocal with the granting of consent for their writing.

You may find more information on cookies at the address: www.aboutcookies.org, or in section Help in the internet browser menu.

This Policy refers to the use of the cookies only through this Portal and is not applicable to their use by any third party.

Some of our business partners (e.g. advertisers) use cookies on our site. We have no access to, or control over, these cookies. This privacy statement covers the use of cookies by this site only and does not cover the use of cookies by any third party.

Mobile Applications Privacy Policy

The mobile device stores an enciphered unique Application Identifier (the parameter is generated in the process of Application registration on the XTB Ltd. side) – it is stored on the device until the deletion of the mobile application from the device.

The Application Identifier referred to above and information about the brand, type and hardware token of the mobile device is transferred to XTB Ltd. in the registration process of the device in the Application and it is used for explicit identification of the Application and the mobile device.

The communication between the mobile application and XTB system is held with the use of advanced deciphering mechanisms.

Depending on a mobile platform, XTB applications may gain access to the following functions on the mobile device:

- a. Internet connection.
- b. Device camera to take pictures of documents and/or user's face during real account registration.
- c. Photo gallery on the device to send pictures of documents and/or user's face during real account registration.
- d. Access to user's space to save a picture.
- e. Advertising Identifier (IDFA) to monitor efficiency of our own advertising campaigns and installation of our application.
- f. Chat microphone.
- g. Phone mode in order to switch on the sleep mode of the application when it is in the background.

Depending on the mobile application, application functions may be cancelled by changing system settings on the device or uninstalling the application.



Mobile applications do not store any personal data which could allow a third party to identify a particular application user. Anonymous data concerning users' activity on Mobile Applications may be processed by XTB for statistical purposes.

Additionally, XTB informs that the applications have two connected services:

1. Google Firebase – to collect statistical data of application performance and information about the way customers use the application, such data is fully anonymous, and
2. Fabric.io – to collect statistical data of application performance and information about the way customers use the application, such data is fully anonymous, additionally; this service allows XTB to collect crash, i.e. applications' errors which are also fully anonymous and deprived of any data which may enable to identify the customer or their information.
3. Facebook Mobile SDK – to collect statistical data of conducted campaigns promoting the mobile application and information about the way customers use the application, such data is fully anonymous.