

PRIVACY NOTICE

January 2020

1. INTRODUCTION

The protection of your privacy and your personal information is important to London Capital Group Limited (LCG UK). Our policy is to respect the confidentiality of information and the privacy of individuals.

This privacy notice outlines how we manage the personal information provided 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). It also details your rights in respect of the processing of your information.

The data protection principles under the General Data Protection Regulation set out LCG UK's responsibilities to you. Personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

LCG UK keep this notice under review and may change and amend it from time to time to take into consideration new technology, changes to our operations and practices and new laws and regulations. Our most current privacy notice will govern any of your personal information we hold.

2. WHO IS YOUR DATA CONTROLLER

This privacy notice applies to the processing activities of LCG UK.

LCG UK is a company registered in England and Wales under registered number: 3218125. LCG UK is authorised and regulated by the Financial Conduct Authority (FCA) under firm reference number 182110. The registered address for LCG UK is: 3rd Floor, 80 Cheapside, London, EC2V 6EE.

LCG UK provides spread betting and CFD trading services and is the data controller of your personal information in relation to those services.

3. HOW LCG UK USE YOUR PERSONAL DATA

LCG UK may use personal information for the following purposes:

3.1. Identity Verification, Account establishment and Management

As part of providing services, or information about our services, to you, we will need to verify your identity to accept you as a customer and we will need to use those details in order to effectively manage your account with us to ensure that you are getting the best possible service from us. This may include third parties carrying out identity checks on our behalf. It is in our legitimate interest to do so and the use of your personal information in this way is necessary for us to know who you are as we also have a legal obligation to comply with certain Know Your Customer regulatory obligations.

3.2. Provisions, Improvement and Development of Products and Services

After account opening, we will need to use your personal information to perform our services and comply with our obligations to you. It is in our legitimate interests to ensure that we provide you with the best products and services so we may regularly review your needs to ensure that you get the best possible products and services from us.

We may from time to time use personal information provided by you through your use of our services and/or through customer surveys to help us improve our products and services. It is in our legitimate interests to do so.

3.3. Settlement of Enquiries and Disputes

Where we consider there to be a risk that we may need to defend or bring legal claims, we may retain your personal information as necessary for our legitimate interests in ensuring that we can properly bring or defend legal claims. We may also need to share this information with our insurers or legal advisers. How long we keep this information for will depend on the nature of the claim and how long we consider there to be a risk that we will need to defend or bring a claim. It is in our legitimate interests to use your personal information in such way.

3.4. Compliance with Applicable Laws and Regulations

We may need to use your personal information to comply with applicable law, court order or other judicial process, or the requirements of the Financial Conduct Authority. We do this not only to comply with our legal obligations, but because it may also be in our legitimate interest to do so.

3.5 Profiling

We may from time to time use personal information about you to form profiles about you so that we understand your needs and provide the very best products and services we can. We may also make decisions about you through automated profiling or automated identity checks which could affect your ability to use our services. We may need to do this either to perform our legal obligations or because it is in our legitimate interest to use your personal information in such a way.

3.6. Marketing and communications

We may use your personal information in order to send you, research, education and promotional materials which you might be interested in.

Where we send you marketing communications, we will either do so as it is in our legitimate interest or we have obtained your consent by requiring you to “opt in” to receive such communications.

You may withdraw or vary this consent at any time by updating your preferences in the communications section of MyLCG. Marketing emails will always have an unsubscribe option to allow you to opt out of any further marketing emails.

3.7. Website Information

Our web pages may contain web beacons or pixel tags or any other similar type of data analysis tools which allow us to track the number of users that have visited our webpage. Where your personal information is completely anonymised, we do not require a legal basis as the information will no longer constitute personal information. However, where your personal information is not in an anonymised form, it is in our legitimate interest to continually evaluate that personal information to ensure that the products and services we provide are relevant to the market. We may also obtain personal information about you through your use of apps or using cookies on our websites and/or apps, by recording which pages you look at on our websites.

3.8. Internal Business and Record Keeping

We may need to process your personal information for internal business and research purposes and record keeping purposes. Such processing is in our own legitimate interests and is required to comply with our legal obligations. This may include any communications that we have with you in relation to the services we provide to you and our relationship with you. We will also keep records to ensure that you comply with your obligations under any contract you have entered with us.

3.9. Our Premises

We may collect information about visitors to our premises. We may record information on your visit, including the date and time, who you are visiting, your name, employer, contact details and vehicle registration number. It is in our legitimate interest to do so. We may operate CCTV at our premises which may record you and your activities. We display notices to make it clear what areas are subject to surveillance. We only release footage following a warrant or formal request from law enforcement, or as necessary in relation to disputes. It is not only a legal requirement, but also in our legitimate interest to do so.

3.10. Sharing with Partners

We may share your personal information with partners who provide services on our behalf or have introduced you to us. It is in our legitimate interest to use your personal information in such way to provide you with our services.

3.11. Sharing with Group Entities

We may share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business re-organisation or group restructuring exercise, and for system maintenance support and hosting of data. It is in our legitimate interest to use your personal information in such way, provided we comply with any legal obligation we have to you.

4. COLLECTION OF PERSONAL DATA

LCG UK has certain legal and contractual requirements to collect personal data. We may also need your data to enter into a contract with you. You are obliged to provide the personal data and if you fail to do so, we will be unable to provide you with our services.

We may collect the following types of information from actual or potential customers:

- name, address and contact details including but not limited to phone number and email address;
- date of birth and gender;
- employment and occupation details;
- ID and/or passport number;
- national/tax identification number;
- information about your income and wealth including details about your assets, trading history and performance; and
- any other similar information.

We obtain this information through your use of our services or other dealings with us including through any of our websites, apps, the account opening applications, demo sign up, webinar sign up, subscribing to news updates and from information provided during ongoing customer communication.

We may also collect this information about you from third parties through our 'refer clients' partner schemes.

We may ask for other personal information voluntarily from time to time and if you choose not to provide the information we require to fulfil your request for a certain product or service, we may not be able to provide you with the requested product or service.

Please note that we keep records of your trading history including:

- products you trade and their performance;
- products we trade on your behalf and their performance;
- historical data about the trades and investments you made including the amount invested; and
- your preference for certain types of services and products.

We may record any communications, electronic, by telephone, in person or otherwise, that we have with you in relation to the services we provide to you and our relationship with you. These recordings will be our sole property and constitute evidence of the communications between us. Any telephone conversation may be recorded without the use of a warning tone or any other further notice.

5. GETTING YOUR CONSENT

Where the use of your personal information by us requires your consent, you will be given sufficient information to make a choice about whether to provide your consent and will ask you to positively “opt in” by the use of a tick box.

Where we rely on your consent as our legal basis for processing your personal information, you have the right to withdraw your consent at any time by contacting us using the contact details set out below.

6. DISCLOSURE OF PERSONAL DATA

We may, in the standard operation of our business, share selected information to the following:

- Any relevant regulatory, governmental, or law enforcement authority as required by law or as agreed with you;
- our insurers, agents, service providers, specialist advisers, suppliers and subcontractors who provide us with insurance, administrative, IT, financial, verification, regulatory, compliance research or other services;
- professional advisors such as our legal advisors in connection with any ongoing or prospective legal proceedings or in order to establish, exercise or defend our legal rights, and our auditors and accountants in order to satisfy our regulatory and financial reporting obligations;
- introducing brokers and affiliates with whom we have a mutual relationship;
- any member of our group, meaning our subsidiaries, our ultimate holding company and its subsidiaries, and successors in title to our business; or
- anyone authorised by you.

Generally, we require that third parties who handle or obtain your personal information acknowledge the confidentiality of this information, undertake to respect any individual’s right to privacy and comply with the General Data Protection Regulation and this privacy notice. Where any third party uses your personal data as data controller, such use is not covered by this privacy notice and is not subject to LCG UK’s privacy practices and procedures.

7. TRANSFER OUTSIDE OF THE EUROPEAN ECONOMIC AREA

We may transfer your personal information outside the European Economic Area (“EEA”) to other of our group companies as well as processors who are engaged on our behalf.

Where we intend to transfer your information outside the EEA, we will ensure that the transfer is pursuant to an adequacy decision by the Commission.

Where we intend to transfer your information outside the EEA in the absence of a decision by the Commission on an adequate level of protection, we will use Standard Contractual Clauses adopted by the Commission. Please contact LCG UK’s Data Protection Officer at dpouk@lcg.com if you wish to obtain a copy these safeguards.

8. MANAGEMENT OF PERSONAL INFORMATION

We always take appropriate technical and organisational measures to ensure that your information is secure. In particular, 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 where necessary.

9. SECURITY AND STORAGE OF PERSONAL INFORMATION

LCG UK takes the safeguarding of your data very seriously. LCG UK has taken measures and precautions to protect the security of your personal information. Our employees understand and respect the confidentiality of your personal information.

We hold personal information in secure computer storage facilities, paper-based files, and/or other records. When we consider that personal information is no longer needed, we will remove any details that will identify you and we will securely destroy the records.

However, we are subject to certain laws and regulations which we may require us to maintain records for a significant period of time. For example, certain anti-money laundering laws 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.

We will hold information about you on electronic and/or paper files whilst you are a customer and for at least six years after our business relationship with you has ended.

10. COOKIES

Cookies are small pieces of text stored on your computer or device when you visit a website or an app. We use cookies on our websites or our apps to provide you with a more relevant and effective experience, including presenting web pages according to your needs or preferences. For further information about cookies and how we use cookies, please refer to LCG UK Cookies Policy.

11. TECHNOLOGY IMPROVEMENTS

We want to provide you with better and improved experience through constant technology development. This may result in a change to the way in which personal information is collected or used. The impact of any technology changes which may affect your privacy will be notified in this privacy notice at the time of change.

12. WHAT ARE YOUR RIGHTS

You have a number of rights when it comes to personal information we hold about you. The key rights are set out below. More information about your rights can be obtained from the Information Commissioner's Office ("ICO").

Under certain circumstances, by law you have the right to:

- Be informed in a clear, transparent and easily understandable way about how we use your personal information and about your rights. Therefore, we are providing you with the information in this notice. If you require any further information about how we use your personal information, please contact us.

- Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it (for instance, we may need to continue using your personal data to comply with our legal obligations). You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing. LCG UK may continue to retain your information if we are entitled or required to retain it.
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to us using your information on this basis and we do not have a compelling legitimate basis for doing so which overrides your rights, interests and freedoms (for instance, we may need it to defend a legal claim). You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party where you provided it to us and we are using it based on your consent, or to carry out a contract with you, and we process it using automated means.
- Request not to be subject to a decision based solely on automated processing, including profiling, which has legal consequences for you or similarly significant effects.
- Withdraw consent. In the limited circumstances where we are relying on your consent (as opposed to the other bases set out above) to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate interest in doing so.
- Lodge a complaint. If you think that we are using your information in a way which breaches data protection law, you have the right to lodge a complaint with the Information Commissioner’s Office)

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal information, request not to be subject to a decision based solely on automated processing, withdraw your consent to the processing of your personal information or request that we transfer a copy of your personal information to another party, please contact us.

You will not be charged with a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access

is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us understand the nature of your request, to confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Please consider your request responsibly before submitting it. We will respond to your request as soon as we can. Generally, this will be within one month from when we receive your request but, if the request is going to take longer to deal with because the request is complex or there are numerous requests, we will let you know. In these circumstances the deadline for our response may be extended for up to another two months.

13. WHAT IF YOU HAVE A COMPLAINT

If you are concerned about us ensuring your privacy, you can make a complaint. We will deal with your complaint promptly. You can contact us as set out below.

If you are not satisfied with our response to your complaint, you have the right to file a complaint with our supervisory authority, ICO. You can find details about how to do this on the ICO website at <https://ico.org.uk/concerns/> or by calling their helpline on 0303 123 1113.

14. CONTACT US

If you have any questions about this privacy notice or want to exercise your rights, please contact our Compliance team or Data Protection Officer by:

- Email at: compliance@lcg.com or dpouk@lcg.com
- Post to: London Capital Group, 3rd Floor, 80 Cheapside, London, EC2V 6EE