



WEB PRIVACY NOTICE

(EFFECTIVE MAY/2018)

BACKGROUND:

Emergo Wealth Ltd. respects your privacy and feels it is important for you to know how we handle the information we receive via our website at www.emergowealth.net (the “Site”) and through our on-demand software, our support platform, mobile applications and tools and services offered on the Site and mobile application (the “Service”). Emergo Wealth Ltd. will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

Please read this Privacy Policy carefully and ensure that you understand it. Your acceptance of this Privacy Policy is deemed to occur upon your first use of our Site. If you do not accept and agree with this Privacy Policy, you must stop using our Site immediately.

1. DEFINITIONS AND INTERPRETATION

In this Policy the following terms shall have the following meanings:

“**Account**” means an account required to access and/or use certain areas and features of **our** Site;

2. INFORMATION ABOUT US

Our Site is owned and operated by Emergo Wealth Ltd., a limited company registered in Cyprus. Emergo Wealth is a Cyprus financial services Company registered with the Cyprus Securities & Exchange Commission under the provisions of the applicable legislation (LAW 144 (I) of 2007). License Number 232/14.

For more information please visit our website at www.emergowealth.net

3. WHAT DOES THIS POLICY COVER?

This Privacy Policy applies only to your use of our Site. Our Site may contain links to other websites. Please note that we have no control over how your data is collected,

stored, or used by other websites and we advise you to check the privacy policies of any such websites before providing any data to them.

4. WHAT IS PERSONAL DATA?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the “GDPR”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

5. WHAT ARE MY RIGHTS?

Under the GDPR, you have the following rights, which we will always work to uphold:

- a. The right to be informed about our collection and use of your personal data. This Privacy Policy should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 13.
- b. The right to access the personal data we hold about you. Part 12 will tell you how to do this.
- c. The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details in Part 13 to find out more.
- d. The right to be forgotten, subject to the limitations set-out in Part 9, i.e. the right to ask us to delete or

otherwise dispose of any of your personal data that we have. Please contact us using the details in Part 13 to find out more.

- e. The right to restrict (i.e. prevent) the processing of your personal data.
- f. The right to object to us using your personal data for a particular purpose or purposes.
- g. The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- h. Rights relating to automated decision-making and profiling.

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 13.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

6. WHAT DATA DO WE COLLECT?

Depending upon your use of our Site, we may collect some or all of the following personal and non-personal data:

We collect and process different types of personal data which we receive from our clients (potential and current) in person or via their representative or via our associates, in the context of our business relationship.

We may also collect and process personal data which we lawfully obtain not only from you but from other entities or other third parties e.g. companies that introduce you to us, or entities that provide information for regulatory compliance (due diligence).

We may also collect and process personal data from publicly available sources (e.g. the Department of Registrar of Companies and Official Receiver, commercial registers, the internet) which we lawfully obtain and we are permitted to process.

If you are a prospective client or an authorised representative, officer, shareholder or beneficial owner of a legal entity or of a natural person which/who is a prospective client, the relevant personal data which we collect may include: Name, address, contact details (telephone, fax, email), identification data, date of birth, place of birth (city and country), if you hold/held a prominent public function (for PEPs), tax identification number, tax residency and other FATCA/CRS info (US Foreign Account Tax Compliance Act /EU Common Reporting Standard), national identification according to your nationality for MiFID II purposes, authentication data (e.g. signature).

When we agree to provide products and services to you or the legal entity you represent or beneficially own, then, in the context of the provision of investment services additional personal data will be collected and processed which may include: Current income and expenses, profession, current employment position, other professional activities (e.g. as per corporate certificates of directors/shareholders), property ownership and personal debts, personal investments and income from investments, number of dependents, other banking relationship details, tax residence and tax ID, data from entities that provide information for regulatory compliance (e.g. LexisNexis WorldCompliance), knowledge and experience with shares and other financial instruments (complex and non- complex), investment strategy and scope, risk appetite, personal investment portfolio, personal objectives, recorded conversations, orders and minutes of meetings.

7. YOUR OBLIGATION TO PROVIDE US WITH YOUR PERSONAL DATA

In order that we may be in a position to proceed with a business relationship with you and provide you with investment and/ or ancillary services (MiFID II), you must provide your personal data to us which are necessary for the required commencement and execution of a business relationship and the performance of our contractual obligations. We are furthermore obligated to collect such personal data given the provisions of the money laundering law which require that we verify your identity before we enter into a contract or a business relationship with you or the legal entity for which you are the authorized representative, officer or owner. You must, therefore, provide us at least with your identity card/passport, your full name, and your residential address so that we comply with our statutory obligation as mentioned above.

We note that if you do not provide us with the required data, then we will not be allowed to commence or continue our business relationship either to you as an individual or as the authorized representative, officer or owner of a legal entity.

8. HOW DO YOU USE MY PERSONAL DATA?

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data may be used for the following purposes:

For the performance of a contract

We process personal data in order to provide investment and ancillary services based on contracts with our client but also to be able to complete our acceptance procedure so as to enter into a contract with prospective clients.

The purpose of processing personal data depends on the requirements for each service or product and the contract terms and conditions provide more details of the relevant purposes.

For compliance with a legal obligation

There are a number of legal obligations emanating from the relevant laws to which we are subject as well as statutory requirements, e.g. the Money Laundering Law, the Investment Services Law, Tax laws. There are also various supervisory authorities whose laws, directives and regulations we are subject to e.g. the Cyprus Securities and Exchange Commission. Such obligations and requirements impose on us necessary personal data processing activities for identity verification, compliance with court decisions/ court orders, tax law or other reporting obligations and anti-money laundering controls.

For the purposes of safeguarding or servicing legitimate interests

We process personal data so as to safeguard the legitimate interests pursued by us or by a third party. A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. Examples of such processing activities include:

- Means and processes undertaken to provide for the security of the Company's IT and systems, preventing potential crime, asset security, admittance controls and anti-trespassing measures.
- Company risk management. Sharing your personal data for the purpose of updating/verifying your personal data in accordance with the relevant anti-money laundering compliance framework.
- Initiating legal claims and preparing our defense in litigation procedures.

For other reasons, provided you have given your consent

Provided that you have given us your specific consent for processing (other than for the reasons set out hereinabove) then the lawfulness of such processing is based on that consent. You have the right to revoke

consent at any time. However, any processing of personal data prior to the receipt of your revocation will not be affected. This may cover the provision of promotional material for services.

9. HOW LONG WILL YOU KEEP MY PERSONAL DATA?

We will keep your personal data for as long as we have a business relationship with you (as an individual or in respect of our dealings with a legal entity you are authorized to represent or are beneficial owner).

Once our business relationship with you has ended, we may keep your data for up to ten (10) years. We may keep your data for longer than 10 years if we cannot delete it for legal, regulatory or technical reasons or if are needed for the purposes of legal or similar processes.

For prospective client personal data (or authorized representatives, officers or owners of a legal entity prospective client] we shall keep your personal data for 6 months from the date of conclusion of all communications that didn't lead to the opening of an account with the Company.

10. HOW AND WHERE DO YOU STORE OR TRANSFER MY PERSONAL DATA?

We store or transfer most of your personal data within the European Economic Area (the "EEA"). The EEA consists of all EU member states, plus Norway, Iceland, and Liechtenstein. This means that your personal data will be fully protected under the GDPR or to equivalent standards by law.

In some cases we transfer your data to a third party based in the US, but only to parties who are part of the EU-US Privacy Shield. This requires that third party to provide data protection to standards similar to those in Europe. More information is available from the [European Commission](#).

11. DO YOU SHARE MY PERSONAL DATA?

We will not share any of your personal data with any third parties for any purposes, subject to one important exception.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, for example:

- Supervisory and other regulatory and public authorities, inasmuch as a statutory obligation exists. Some examples are the Cyprus Securities and Exchange Commission, the income tax authorities.
- Other investment firms, management companies and depositaries, such as Custodians, Depositaries, Exchanges.
- According to our procedures for combating money laundering and financing of terrorism, the entities that provide information on regulatory compliance, e.g. LexisNexis World Compliance
- External legal consultants.
- Auditors and accountants.
- File storage companies, archiving and/or records management companies.
- Companies that developed the Company's systems, companies who assist us with the effective provision of our services to you by offering technological expertise, solutions and support and facilitating trading.

If any of your personal data is required by a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party's obligations under the law, as described above in Part 10.

12. HOW CAN I ACCESS MY PERSONAL DATA?

If you want to know what personal data we have about you, you can ask us details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email addresses shown in Part 13. There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of two months from the date we receive your request.

13. HOW DO I CONTACT YOU?

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please email your request to: dsr@emergowealth.net.

14. CHANGES TO THIS PRIVACY POLICY

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be immediately posted on our Site and you will be deemed to have accepted the terms of the Privacy Policy on your first use of our Site following the alterations. We recommend that you check this page regularly to keep up-to-date.