

## OANDA Marketing Partner Privacy Policy

### A. Policy Statement

OANDA entities listed in the table below (“OANDA”, “we” and “us”) and our subsidiaries respect Marketing Partners privacy and are committed to protecting it. The purpose of OANDA’s Privacy Policy is to explain OANDA’s privacy policy and practices and how your personal data (“**Personal Information**”) is collected, used, disclosed and maintained by us when you participate in our Marketing Partner programme (Affiliate or Introducing Broker programme).

List of OANDA entities covered by this Data Privacy Notice:

Country of incorporation	Entity
United Kingdom	OANDA Europe Limited
USA	OANDA Corporation
Australia	OANDA Australia Pty
Canada	OANDA (Canada) Corporation ULC
Singapore	OANDA Asia Pacific PTE. Ltd
BVI	OANDA Global Markets Limited
Poland	OANDA TMS Brokers S.A.

The OANDA entity with whom you have a client account with or you are requested to share your data with should be deemed the controller of information collected within the scope of this notice (“Data Controller”). The Data Controller is independently responsible for deciding how it processes Personal Data about you. On some occasions, more than one OANDA entity may process your personal data as independent controllers.

This OANDA Privacy Policy sets forth the guidelines we follow to protect the data collected from our Marketing Partners provided via online communication channel and OANDA websites and it applies to all partners and participants (“**Participants**”). The use of any of our services is subject to the applicable terms, the use of our website is subject to our website terms of use and customer data privacy is covered by separate terms and marketing partner agreement.

A Data Protection Officer has been appointed at OANDA. In matters regarding the processing of personal data by OANDA, you can contact us via the following e-mail address: [privacy@oanda.com](mailto:privacy@oanda.com).

## **B. Personal Information OANDA Collects**

### *What We Collect*

When you join us as a Participant we (or third-parties acting on our behalf) may collect your information, including your Personal Information, including in particular:

- Name,
- Email,
- Phone number,
- Date of Birth,
- Address,
- Bank details.

## **C. Cookies**

Cookies are small text files placed in website visitors’ computer browsers to store their preferences. The Website Services, our platform, and our third party partners, collect and store information that is generated automatically as you use it, including your preferences and anonymous usage statistics. OANDA collects information about your device and uses tracking mechanisms such as cookies to: (i) facilitate use of our website and applications, (ii) enable customisation of our online services and website features, (iii) avoid re-entry of data, (iv) store preferences for certain kinds of information, (v) enhance security measures, and (vi) gather data about usage of our website and mobile applications for research and promotions.

OANDA uses cookies from third party service providers to facilitate website tracking and security measures and may share the information collected with third parties acting as our service providers, who are required to maintain the confidentiality of the information.

We use these cookies and other technologies on the basis that they are necessary for the performance of a contract with you, or because using them is in our legitimate interests (where we have considered that these are not overridden by your rights), and, in some cases, where required by law, where you have consented to their use.

We use the following types of cookies:

- Essential cookies. These are cookies that are required for the operation of our Website Services and/or our Platform and under our terms with you. They include, for example, cookies that enable you to log into secure areas of our Website Services and/or our Platform.

- Analytical/performance cookies. They allow us to recognise and count the number of visitors and to see how visitors move around our Website Services and/or our Platform when they are using it. This helps us for our legitimate interests of improving the way our Website Services and/or our Platform works, for example, by ensuring that users are finding what they are looking for easily.
- Behavioral cookies. These are used to recognise you when you return to our Website Services and/or our Platform. This enables us, subject to your choices and preferences, to personalize our content, greet you by name and remember your preferences (for example, your choice of language or region).
- Marketing cookies. These enable you to experience more relevant online content and see adverts which are aligned with your interests, as indicated by your activity on our site.

You can configure your browser preferences not to accept these cookies however this may result in reduced functionality.

Some third-party vendors that provide ads on OANDA web pages may use cookies to collect details on website visits and other data (but not names, addresses, email addresses, or telephone numbers) in order to provide ads about goods and services of particular interest to individuals.

#### **D. How OANDA Uses Personal Information**

We use your personal information that we collect in connection with a Marketing Partner programme and to improve our services, or where we have a legitimate business interest in or other legal basis for, such collection and use. The personal information you submit to us may be used to verify your identity, manage our relationship with you, including any of your requests, or to customize or improve our services.

Your personal information may also be used to protect our rights or property and that of our Participants. To the extent that we possess any personal information about you that has been anonymised, such de-identified information is not subject to the terms of this Privacy Notice.

We do not sell personal information about you that is collected in connection with this Privacy Policy.

#### **E. Disclosure of Participant Personal Information**

We may provide your personal information to other members of the OANDA Group in connection with the performance of the partnership, including analysis of the data collected. Your personal information may also be disclosed to members of the OANDA Group and other third parties: in order to respond to your requests or inquiries; as part of a corporate transaction (such as a sale, divestiture, reorganization, merger or acquisition); or where those parties handle information on our behalf.

Personal information may also be disclosed to law enforcement, regulatory or other government agencies, or to other third parties, in each case to comply with legal, regulatory, or national security obligations or requests.

We will provide notice and obtain your consent before sharing personal information about you with an unaffiliated third party that is not performing services for the OANDA Group, except if such sharing is otherwise permitted by this Privacy Notice or our partnership. Information about you that we have aggregated with

information about other individuals or have otherwise made anonymous such that your identity cannot be determined may be shared by the OANDA Group with third parties without restriction.

#### **F. How we secure your Personal Information**

All information you provide to us is stored on our secure servers.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we will do our best to protect your Personal Information, we cannot guarantee the security of your data transmitted to us; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

#### **G. Where do we store your Personal Information**

The data that we process in relation to you may be transferred to, and stored at, a destination outside of your place of residency that may not be subject to equivalent data protection law.

We may transfer your personal information to third countries:

- In order to store it
- In order to enable us to complete purposes of data processing outlined in Section C. This includes Marketing Partner communication, fulfillment and the provision of support services and analysis of the Marketing Partner Programme.
- Where we are legally required to do so
- In order to facilitate the operation of our group of businesses, where it is in our legitimate interests and we have concluded these are not overridden by your rights.

Where your information is transferred outside of your jurisdiction we will take all steps reasonably necessary to ensure that your data is subject to appropriate safeguards, such as relying on a recognised legal adequacy mechanism, and that it is treated securely and in accordance with this Privacy Policy.

We may transfer your personal information to:

- Any member of our group, which means our ultimate holding company and its subsidiaries and for these transfers we use European Commission approved contractual clauses for transfers (referred to as “Model Clauses”),
- Our vendors, and for these purposes we use Model Clauses.
- Other third parties, where we are legally required to do so.

## **H. How long we retain your Personal Information for**

We retain your personal information for as long as the information is reasonably needed for the purposes described in this Privacy Notice. We also may retain your personal information to comply with our legal or professional obligations, enforce our agreements, or resolve disputes.

We may also retain aggregate information beyond this time for research purposes and to help us develop and improve our services. You cannot be identified from aggregate information retained or used for these purposes.

## **I. Your Data Subject Rights**

Any concerns a Participant may have concerning OANDA's Privacy Policy or specific complaints about how Participant Personal Information has been collected, used or disclosed should be forwarded in writing to us. OANDA will thoroughly investigate the complaint and will take whatever actions are warranted and notify the Participant once this has been done.

You have the right to:

- to receive information about the processing of Personal Information concerning you. You are entitled to access your Personal Information
- to request the rectification or erasure of your Personal Information held by us
- to object to the further processing of your Personal Information, including the right to object to marketing
- to request that your provided Personal Information be moved to a third party.

*Your right to withdraw consent:*

Where the processing of your Personal Information by us is based on consent, you have the right to withdraw that consent at any time by contacting us as per [section K](#) below.

*How to exercise your rights*

You can also exercise the rights listed above at any time by contacting us at [privacy@oanda.com](mailto:privacy@oanda.com)

If your request or concern is not satisfactorily resolved by us, you may approach your local data protection authority (to your habitual residence, your place of work, or where the alleged infringement took place).

## **J. Notification of Policy and Policy Changes**



OANDA provides an initial notice of its Privacy Policy to Participants at the time it establishes a relationship and the Privacy Policy is dated and posted on its website. Updates will be posted on the OANDA website, so our Participants will always know what information we collect, how we use it, and what choices they have.

**K. Contact Us:**

We value our Participants' opinions. If they have comments or questions about our Privacy Policy, they are invited to us at [privacy@oanda.com](mailto:privacy@oanda.com).

We will never ask you for security information such as passwords over the phone or by email. If you receive a call or email which you are not sure has come from OANDA, please contact us at [infosec@oanda.com](mailto:infosec@oanda.com).

**L. Special notices to California residents**

If you are a California resident, you are entitled to request information concerning any personal information you provide to us as part of an established business relationship for personal, family, or household purposes that we disclose to nonaffiliated third parties for their direct marketing purposes. We do not share such personal information with nonaffiliated third parties for such purposes.