

## PRIVACY POLICY

The following is the Marex North America Privacy Policy, copies of which are regularly sent to customers.

At Marex North America (“MNA”) we value our customers and maintaining customer trust and confidence is our highest priority. While it is necessary that we obtain accurate and current information about our customers in order to provide the highest level of customer service, we are dedicated to protecting the privacy and confidentiality of our customers’ information.

### 1. THIS PRIVACY POLICY

We are based at 222 West Adams Street, Chicago IL 60606 and we can be contacted regarding this Privacy Policy at [dataprotectionoffice@marex.com](mailto:dataprotectionoffice@marex.com).

MNA collects your personal information whenever you use our services or when you use our website. MNA will never sell your personal information to anyone. We promise that we will uphold the privacy policies and procedures as set forth below.

### 2. INFORMATION WE COLLECT ABOUT OUR CUSTOMERS

The personal information we collect from you comes from information you supply to us voluntarily, or by legal obligation, either when visiting our website or in account opening applications (whether written or electronic), or in other forms you may provide to us, or from a broker you have chosen to use.

This information may include:

- your name;
- your address;
- your social security number or tax identification number;
- financial information about you;
- information regarding your transactions with us, including your trading history at MNA, your history of meeting margin calls or your use of the various services and products that we provide; and
- information about your credit history and information we may receive from your introducing broker or associated person and other consumer reporting agencies.

### 3. WHY WE COLLECT YOUR INFORMATION

We use your personal information to conduct our business and to provide you with the best possible services and experience.

We also use your personal information to:

- provide the services you have asked us to provide;
- verify your identity;
- submit your daily and monthly statements to you;

- process your futures trades and generate futures trading statements;
- determine if you have sufficient risk capital to trade futures;
- communicate with you about the services you have asked us to provide;
- provide you with marketing and offers from us (where we have your permission to do so if you are a resident of the European Economic Area (“EEA”));
- improve our services; and
- comply with our legal or contractual obligations and exercise our rights on the same.

#### **4. INFORMATION WE MAY SHARE ABOUT OUR CUSTOMERS**

**MNA will not sell personal information regarding our current or former customers.**

MNA may share personal information about our current and former customers with our affiliated companies and service providers around the world. In either case, your personal information will remain subject to strict confidentiality protections.

To the extent that we may engage unaffiliated companies to assist in providing services such providers will be subject to contractual requirements to maintain the confidentiality of any personal information they may obtain in connection with the performance of their services for us. Such service providers will only be allowed to use personal information in the course of providing services to MNA and only for the purposes that we authorize.

We may also disclose your personal information to a third party when you ask us to do so or when we believe it is required by law.

#### **5. INFORMATION WE MAY DISCLOSE**

We may disclose information about current or former customers in order to cooperate with legal or regulatory authorities or pursuant to a court order or subpoena.

We may also disclose personal information as necessary to perform credit checks, collect debts, enforce our legal rights or otherwise protect our interests and property.

#### **6. RETENTION OF YOUR INFORMATION**

We will only retain your personal information for as long as it is necessary to provide our services to you and where you have asked us to do so and/or to provide you with the best customer experience possible, and as required by law. This type of processing is necessary for the purposes of our legitimate interests (for example, to deal with any claims or queries which you have relating to our services), or where we are required to do so by law.

#### **7. MNA IS COMMITTED TO PROTECTION OF YOUR PERSONAL INFORMATION AND TO PROTECTING YOUR PRIVACY**

Only authorized MNA employees, agents or service providers will have access to your personal information. Each of them is held to the highest standards of privacy and security.

We shall implement appropriate technical and organizational measures to ensure a level of security appropriate to potential risks, which may include:

- the pseudonymization and encryption of your personal information where appropriate;
- ensuring ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- ensuring we can restore access to personal information in a timely manner if a physical or technical incident occurs; and
- regular testing, assessment and evaluation of the effectiveness of our technical and organizational measures to ensure your personal information is secure.

We maintain physical, electronic and procedural safeguards to protect the confidentiality and security of personal information transmitted to us.

## **8. COOKIES AND OTHER SIMILAR TECHNOLOGIES**

Our website uses “cookies”, which we use to distinguish you from other visitors, track your IP address and usage of our site and to identify the name of the website from which you linked to our website. This information is used to help us serve you better by improving our website design, as well as our products and services. We do not otherwise track any information about your use of other websites. Non-personal information or anonymized/pseudonymized information obtained through cookies may be obtained by or shared with service providers on our behalf.

Cookies are small text files consisting of encrypted information assigned to a computer’s browser. Cookies do not collect or transmit your personal information. For users of the non-public areas of our website or electronic trading platforms that require a User ID or password, MNA may use cookies to identify you so that you do not have to input your password multiple times as you navigate our site. MNA may also use cookies for administrative purposes, such as to maintain security on our site.

You can disable cookies at any time by using your browser options; however, if you turn off cookies, we will not be able to recognize you as a registered user to allow you access to your account information.

## **9. THIRD PARTY WEBSITES**

Please note that our website may include links to other internet sites, content or videos maintained by third parties. We do not endorse such third party sites and are not responsible for the contents of any of these third party sites. Please note that this Privacy Policy does not extend to third party sites linked to this website, and we encourage you to check the applicable privacy policy of such third party sites to determine how they will handle any personal information they collect from you.

## 10. CHILDREN

Our website, products and services are all directed to people who are at least 13 years old or older. If you are under 13, do not use or provide any information on this website or on or through any of its features/register on the website, make any purchases through the website or provide any information about yourself to us, including your name, address, telephone number or email address. MNA does not knowingly collect personal information from a child and will delete it if it becomes aware that it has been provided.

If you believe that children have provided MNA with personal information please contact us immediately at [complianceofficers@marex.com](mailto:complianceofficers@marex.com)

## 11. BUSINESS TRANSITIONS

As we continue to develop our business, we may undergo a business transition such as acquiring another company, merging with an existing company, or selling a portion of our assets. In such transitions, customer information is typically one of the business assets that is transferred or acquired by a third party. In the unlikely event that MNA or substantially all of its assets are acquired or enter a court proceeding, you acknowledge that such transfers may occur and that your personal information can continue to be used as set forth in this privacy policy.

## 12. COMPLAINTS

We pride ourselves on excellent customer service, but if you would like to make a complaint about the way we have collected or used your personal information, please contact us at [dataprotectionoffice@marex.com](mailto:dataprotectionoffice@marex.com).

## 13. CHANGES IN POLICY

If this Privacy Policy changes you will be notified through the MNA web site or in other appropriate ways. If you have questions relating to this policy, please contact your MNA representative.

## 14. CALIFORNIA RESIDENTS ONLY

As a California resident you have the following rights:

**Right to Notice:** You have the right to know what information is collected by MNA and why. (Please see paragraphs 2 and 3 above.)

**Right of Access/Right to Request:** You have the right to request the personal information MNA collects and MNA must disclose it to you free of charge.

**Right to Know:** You have the right to request the following: (1) the categories of personal information collected; (2) the sources from which the information was collected; (3) the business or commercial purpose for collecting or selling the information; (4) categories of third parties with whom the business shares the information; (5) the specific pieces of personal information the business collected about the consumer. (Please see paragraphs 2,3,4 and 5 above.)

**Right to Delete:** You have the right to request that MNA delete any personal information about you that we have collected. Upon receipt of such request, the business must delete the information and direct any service providers to delete the information from its record as well unless the business or service provider needs the information to: (1) compute the transaction for which the personal information was collected, provide a good or service requested by the consumer, or reasonably anticipated within the context of a business's ongoing business relationship with the consumer, or otherwise perform a contract between the business and the consumer; (2) detect security incidents; protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity; (3) debug to identify and repair errors existing intended functionality; (4) exercise free speech, ensure the right of another consumer to exercise his/her right of free speech, or exercise another right provided for by law; (5) comply with the California Electronic Communications Privacy Act; (6) engage in public or peer-reviewed scientific, historical, or statistical research in the public interest; (7) to enable solely internal uses that are reasonably aligned with the expectations of the consumer based on the consumer's relationship with the business; (8) comply with a legal obligation; (9) otherwise use the consumer's personal information, internally, in a lawful manner that is compatible with the context in which the consumer provided the information. **Please be aware that MNA is required by law to maintain your information for a period of five years after you close your account.**

**Right to Opt out of the Sale of Personal Information:** MNA does not sell your personal information.

**Right to Notification of Financial Incentive:** MNA does not offer incentives for the collection, sale or deletion, of personal information.

#### **Right Not to be Discriminated Against for Exercising these Rights**

To exercise any of the rights listed above please call the following number :1 (877) 825-9434.

## **15. EEA RESIDENTS ONLY**

As we may process information from EEA residents we have to comply with the Data Protection Act no 2472/1999, Law no 3471/200, and from 25 May 2018 the General Data Protection

Regulation (EU) 2016/679, when keeping personal data about you when we obtain, use, disclose or otherwise process such data. Any personal information processed by MNA is controlled by us. As such we are considered the data controller of your personal information.

### **Consent**

When you go to our website and submit personal information, you are asked to tick a box confirming you have read this Privacy Policy and that you agree to us collecting your personal information and using it in the ways and for the reasons explained in this Privacy Policy. You can view this notice again by clicking here: <https://www.rcgdirect.com/regulatory/privacy-policy>

## ***Collecting your information legally***

We are able to legally collect and use your personal information either because:

- a. you have provided us with your consent to do so as explained above;
- b. collecting and using your personal information is necessary for us to carry out our legitimate business interests in order to carry out any requests or orders made by you via our website;
- c. collecting and using your personal information is necessary for the performance of a contract to which you are a party; and/or
- d. collecting and using your personal information is necessary for compliance with a legal obligation.

## ***Your rights***

Subject to certain legal conditions, you have the right:

- Access the personal data we process of you by requesting a copy;
- have your personal data rectified;
- have your personal data erased;
- object to the processing of your personal data;
- have your personal data processing restricted;
- Withdraw your consent to process your personal data for a purpose you previously consented to. Withdrawing consent does not affect the lawfulness of processing, which was done before consent was revoked;
- Receive a limited set of data transferred directly to another controller or processor, or directly to yourself;
- Object to being subjected to profiling and automated decision-making and require a human review of any automated decision. We do not however process personal data in a manner, which would make this right applicable.

To exercise your rights, you can contact our Group Data Protection Officer (DPO) by emailing:

[dataprotectionoffice@marex.com](mailto:dataprotectionoffice@marex.com)

We will confirm any requests relating to your rights above within one month of receipt of your request, or within two months of receipt of your request where your request is more complex.

## ***Withdrawal of consent***

We will ask for your consent to use your personal information to provide marketing information to you. If you do not give us your consent, or you withdraw your consent, we will honor that request. You can also tell us to stop collecting and using your personal information at any time by emailing us at [dataprotectionoffice@marex.com](mailto:dataprotectionoffice@marex.com). However, if you do so we will most likely be unable to continue to service your account.

## **Updates to this Policy**

This Policy was last updated in September 2021. We reserve the right to update and change this Policy from time to time in order to reflect any changes to the way in which we process your personal data or changing legal requirements. In case of any such changes, we will post the updated Policy on the Website or publish it otherwise. The changes will take effect as soon as they are posted on the Website.

## **Contact**

If you have any questions or concerns about this Privacy Policy, or want to exercise your rights as a data subject set out in this Policy, please contact our Privacy Team and the Group Data Protection Officer (DPO) by emailing [dataprotectionoffice@marex.com](mailto:dataprotectionoffice@marex.com).