



WINNERFX
Winners Capital Ltd.



PRIVACY POLICY

General Version

1.Introduction

1.1 WinnerFX PRO Ltd is incorporated in **St. Vincent** & the Grenadines as an International Business Company with the registration number 24975 IBC 2018. The objects of the Company are all subject matters not forbidden by International Business Companies (Amendment and Consolidation) Act, Chapter 149 of the Revised Laws of Saint Vincent and Grenadines, 2009, in particular but not exclusively all commercial, financial, lending, borrowing, trading, service activities and the participation in other enterprises as well as to provide brokerage, training and managed account services in currencies, commodities, indexes, CFDs and leveraged financial instruments.

WinnerFX PRO Ltd is a proud member of The Financial Commission(FinaCom), an international organization engaged in the resolution of disputes within the financial services industry in the Forex market. The Financial Commission is an independent external dispute resolution (EDR) organization for Consumers/Traders who are unable to resolve disputes directly with their financial services providers that are members of the Financial Commission and protecting every trader by Commission's Compensation Fund.

1.2 This privacy statement covers the website www.WinnerFX PRO.com, and all its related sub-domains and mobile applications that are registered and operated by WinnerFX PRO Ltd.

1.3 The Company acting in its capacity as a St. Vincent Investment Firm and in accordance with the provisions of the Law, outlines in the Privacy Policy (herein the "Policy") how the Company collects, maintains, uses, discloses and safeguards Personal Data.

1.4 This Policy applies to WinnerFX PRO Ltd which shall follow the principles as outlined herein.

1.5 This Policy applies to existing clients, prospective clients, or are authorized representatives/agents or beneficial owners of legal entities or of natural persons which/ who are current or potential customer's clients, who have terminated their contractual relationship with the Company and website visitors (hereinafter jointly referred to as the "Clients" or "you") who are accessing or using the Company's website(s) and mobile applications (WinnerFX PRO "Platforms").

1.6 For the purposes of this Policy, references to "Personal Data" shall mean data which identifies or may identify Clients and which may include, for example, a Client's name, address, identification number, telephone number and date of birth.

2.Collection of personal data

2.1 The Company collects different types of Personal Data through the Company's Platforms from Clients who visit such Platforms or access, use or request products and services offered by the Company.

2.2 The provision of certain Personal Data is required for establishing a contractual relationship with the Company. Clients not wishing to provide such Personal Data will not be able to open an account with the Company or be provided with other products and/or services of the Company.

2.3 Clients have a responsibility to ensure that the Personal Data they provide to the Company and recorded in their personal account [Website(s)] remain accurate and up to date throughout the period of their contractual relationship with the Company.

2.4 In addition to the information provided by Clients, the Company also lawfully collects and processes Personal Data from publicly available sources (including, inter alia, the press, social media and the internet) and third-party risk management software solutions in order to meet its regulatory obligations and for confirming the validity of the provided information.

2.5 The Personal Data received from the Client, collected and processed by the Company are required for the communication, identification, verification and assessment for the business relationship establishment with the Client, contract performance and legal compliance. The following Personal Data may be collected from Clients depending on the product and/or service the Company provides to him:

- (a) Contact details such as the Client's name, e-mail address and phone number.
- (b) Identification details such as the Client's identification or passport number.
- (c) Biographical and demographic data such as gender, age, education, occupation, the Client's financial trading experience and whether he has a prominent public function status (PEP).
- (d) Financial information such as the Client's income status, bank account number and account details, tax information and other financial information.
- (e) Information relevant to the services that the Company provides to the Client such as the Client's transactions and communication records with the Company.
- (f) Details of visitors' and Clients' visits to the Company's website and information collected through cookies and other tracking technologies including IP address and domain name, browser version, operating system and geolocation.
- (g) Information in relation to criminal convictions and offences to the extent permitted and/or required by applicable law.
- (h) Your marketing preferences.

3.Collection of personal data

The Company understands the importance of protecting children's privacy. The Company's services are not intended for children under eighteen (18) years of age nor is the Company's website designed for use by children. Therefore, the Company does not knowingly or specifically collect children's personal data. If the Company collects such data mistakenly or unintentionally, the Company shall delete the information at the earliest possible once it obtains knowledge thereof. If the Client becomes aware of such data collection, he/she shall notify the Company at backoffice@WinnerFX PRO.

4. Use of personal Data

4.1 The Company collects and processes Personal Data which are required for the evaluation, establishment and maintenance of the contractual relationship between the Company and the Client and in order to comply with applicable Data Protection Legislation and applicable laws and regulations governing the provision of financial services. In some cases, the Company may also process the Client's Personal Data to pursue its legitimate interests or those of third parties, provided that the Clients' interests and fundamental rights are not overridden by those of the Company or the third party.

4.2 Specifically, the Client's Personal Data will most commonly be used in the following circumstances:

1) Where the Company needs to perform the contract it has entered with the Client or in order to take certain steps prior to entering into a contract with the Client Processing is necessary for the Company in order to provide the Client with its products and services, and more specifically in order:

- o To verify the Client's identity and carry out any required credit checks.
- o To ensure that the Client meets the suitability requirements to use the Company's products and services.

o To manage the account, the Client holds with the Company.

- o To process the Client's transactions; and
- o To send to the Client any information about transactions/post-transactions services.

If the Client does not provide the requested Personal Data, the Company may be unable to offer the Client with its products and/or services.

2) Where the Company needs to comply with a legal obligation

As an investment firm, the Company is required to comply with certain legal and regulatory obligations which may involve the processing of Personal Data. Such obligations and requirements impose on the Company necessary data processing activities for identify verifications, compliance with court orders, tax law or other reporting obligations and anti-money laundering controls.

3) Where the Company has legitimate interests to use the Client's Personal Data

More specifically, the Company may process the Personal Data for the following

Purposes:

- o To develop or enhance its products and services.
- o To enhance the security of the Company's network and information systems.
- o To identify, prevent and investigate fraud and other unlawful activities, unauthorized transactions and other liabilities and manage risk exposure.
- o To maintain its accounts and records.
- o To manage its business operations and comply with internal policies and procedures.
- o To defend, investigate or prosecute legal claims.
- o To receive professional advice (such as legal advice); and

o For the analysis of statistical data which helps the Company in providing its Clients with better products and services in the future. It should be noted that the Company anonymizes and aggregate such data so that they do not directly or indirectly reveal the Clients' identities. The Company may provide this statistical data to third parties (as described in more detail in Section 8) solely for statistical purposes and in an effort to improve the Company's marketing campaign.

o Where the Company needs to comply with a legal obligation

4) Where the Client has given his consent

The Company will only ask for the Client's consent when the Company wishes to provide marketing information to its Clients in relation to its products or services which may be of interest to the Client. The Client may withdraw such consent at any time. This right doesn't affect the lawfulness of processing that was based on that consent before its withdrawal.

5. Cookies

5.1 A cookie is a small text file that is stored on a user's computer for record-keeping purposes. The Company uses cookies on its website(s). The Company does link the information that it stores in cookies to any Personal Data the Client submits while accessing the Company's website(s).

5.2 The Company sets a persistent cookie for statistical purposes. Persistent cookies also enable the Company to track and target the location and the interests of its users and to enhance the experience of its services on the Company's website(s).

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5.4 Some of the Company's business partners use cookies on the Company's website(s). The Company has no access to, or control over these cookies.

5.5 Cookies Analysis - Below we provide the details of the cookies used and the options for further reading and opt out.

o Third Party Cookies Cookies by third party providers are used on our websites to enable tools and services to our visitors and clients and support our internal analytical and marketing activities. The Company has no access to, or control over these cookies therefore will not be liable for misuse or loss of personal information resulting from cookies on the Company's website(s) that the Company does not have access to or control over (Example: Facebook, Fxstreet, google AdWords).

o WinnerFX PRO Cookies persistent and session cookies are used to support our visitors and clients browsing experience

- (Required) - To enable the core functionality for the website and user accessibility

- (Functional) - To maintain the user's authentication and personalization functions through our websites and client's area.

To serve users with the appropriate content and resources based on their preferences.

- (Analytical) - To track user's visit to our websites, identify their preferences and collect online behavioral data for analysis and optimization.

5.6 The Client or visitor of the Company's website acknowledges that he can control and manage the above cookies through his web browser security and privacy settings. If you'd like to learn out more about cookies as well as how to manage, and delete them, visit: www.allaboutcookies.org.

6. Consent

If our use of your personal information requires your consent, such consent will be provided in accordance with

the express written terms which govern our business relationship (which are available on our website(s), as amended from time to time), or any other contract we may have entered into with you or as set out in our communication with you from time to time.

If we rely on your consent as our legal basis for holding and processing your personal information, you have the right to withdraw that consent at any time by contacting us using the contact details set out in this Privacy Policy.

7.Security of your information

Protecting the confidentiality of your personal information is of paramount importance to us here at WinnerFX PRO. We have in place both technical and organizational measures to guarantee your information is kept safe and secure. Our staff are trained to ensure client information is respected and handled appropriately, ensure the data of the client is confidential and the privacy of client is maintained. Any breaches of your privacy will be treated severely and will result in penalties, including dismissal and termination of contract where necessary.

8.Links to other websites

8.1 The Company's website contains or may contain links to other websites or social media platforms of interest. However, once you have used these links to leave the Company's website, you should note that the Company does not have any control over those other websites. Therefore, the Company cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this Policy. You should exercise caution and look at the privacy statement applicable to the website in question.

8.2

8.3 The Company will not be liable for the unlawful or unauthorized use of the Client's Personal Data due to misuse and/or malicious use and/or negligence and/or misplacement of the Client's passwords either by him/her or any third party.

9.Client Records Retention Periods

Under the applicable laws and regulations, the Company is required to keep records containing Client Personal Data, trading information, account opening documents, communications and anything else which relates to the Client after the execution of each transaction and/or for 3 (six) years of the termination of the business relationship.

10. Sharing and Disclosure of Personal Data

10.1 In the course of the performance of the Company's contractual and statutory obligations, the Client's Personal Data may be disclosed to third parties. Most of such third parties enter into contractual arrangements with the Company by which they observe data protection and confidentiality according to applicable Data Protection Legislation.

10.2 Under the circumstances referred to above, recipients of Personal Data may be, for example:

A. third party payment service providers who help the Company provide its Clients the services of securely deposit and withdrawal to and from a Client's account.

B. other service providers that the Company has chosen to support it in the effective provision of its products and services by offering technological expertise, solutions and support.

C. governmental and regulatory bodies, including law enforcement authorities in connection with enquiries, proceedings or investigations by such parties or in order to enable the Company to comply with its legal and regulatory requirements.

D. credit reference and fraud prevention agencies, third party authentication service providers and other financial institutions for the purposes of credit checking, fraud prevention and anti-money laundering controls.

E. external consultants including legal and tax consultants.

F. data reporting service providers.

G. market research companies and call centers.

H. affiliates of the Company; and

I. tied agents of the Company

11. Business Transfers Legal Requirements

If the Company is involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another provider, Client's Personal Data and other information may be transferred to a successor or affiliate as part of that transaction along with other assets.

12. Personal Data Transfer outside the EEA

12.1 The Company is committed to protecting Personal Data especially when these are to be transferred outside the EEA. The GDPR allows personal data to be transferred outside of the EEA if adequate data protection measures and safeguards are in place.

12.2 The Company may transfer limited Client's Personal Data outside of the EEA to its third party service providers Live Person Inc. and Google LLC for the provision of the required customer support services through live chat and the Company's website visits and traffic monitoring through Google analytics cookies.

12.3 The Company takes appropriate technical and organizational safety measures with its third party service providers for the protection of such Personal Data. The Company is transmitting personal data to the third parties which have taken the necessary action to comply with GDPR and already comply with the EU-US Privacy Shield Framework regarding the collection, use and retention of personal information from European Union member countries and subject to enforcement by the Federal Trade Commission.

What are your rights

13.1 In compliance with the GDPR, Clients (referred as “Data Subjects”) have the following rights in relation to their Personal Data:

o Right of access: The Client has the right to be informed whether the Company is processing his/her Personal Data, and if so, to provide the Client with a copy of that Personal Data.

o Right to rectification: The Client is entitled to request that the Company corrects or completes his/her Personal Data if it is inaccurate or incomplete.

o Right to erasure: This enables the Client to ask the Company to erase or remove the Client’s Personal Data under certain circumstances, such as when the Client withdraws his consent.

o Right to restrict processing: This enables the Client to ask the Company to restrict the processing of the Client’s Personal Data if:

-it is not accurate.

-it has been used unlawfully but the Client doesn’t want it to be deleted

- it is not relevant any more, but the Client wants the Company to keep it for use in possible legal claims.

-the Client has already asked the Company to stop using his Personal Data but he is waiting for the Company to confirm if it has legitimate grounds to use such Personal Data.

o Right to data portability: The Client has the right to obtain his/her Personal Data provided to the Company in a structured, commonly used and machine-readable format.

o Right to object: The Client may ask the Company at any time to stop processing his/her Personal Data, and the Company will do so

-If the Company is relying on a legitimate interest to process the Client’s Personal Data and the Company cannot demonstrate compelling legitimate grounds for the processing, or

- If the Company is processing Client’s Personal Data for direct marketing.

o Rights in relation to automated decision-making and profiling: The Client has the right to be free from decisions based solely on automated processing of his/her Personal Data, including profiling, that affect him/her, unless such

profiling is necessary for entering into, or the performance of, a contract between Client and the Company or the Client provides explicit consent.

o Right to withdraw consent: If the Company relies on the Client's consent to process his/her Personal Data, the Client has the right to withdraw that consent at any time. This will not affect the lawfulness of the processing that took place on the basis of the Client's prior consent.

o 14. What are your rights

14.1 Company may process Personal Data to tell its Clients about products, services and offers that may be of interest to the Client. The Company may only process such Personal Data if it has obtained the Client's explicit consent to do so.

14.2 If the Client no longer wishes to receive any promotional communications, he may opt-out of receiving them by following the instructions included in each communication or by updating his email subscription preferences within the Client account area.

15. Automated decision- making and profiling

15.1 When you make an application for account opening we will use systems to make an automated assessment of your knowledge and experience through the evaluation of an appropriateness test. Based on the results of such test will then assign the appropriate leverage to your trading account. In such cases, you have the right to contact us to:

a) give you information about the processing of your personal data.

b) request that one of our employees examines your application and obtain an explanation for the automated decision reached. You also have the right to challenge such a decision. Following such a request, we will reassess your application, taking into consideration both the reasons that a particular automated decision was reached as well as your own point of view.

16. Amendment to this policy

16.1 The Company reserves the right to review and amend this Policy from time to time for any reason and notify the Clients of any such amendments accordingly by posting an updated version of this

Policy on the Company's website(s). The Company will notify you about any material changes to this Policy by placing a notice on its website or by communicating with you directly.

16.2 The Client is responsible for regularly reviewing the Policy and any amendments thereof.

17. Enquiries and contact Details

17.1 For any general enquiries regarding this Policy please contact the Company by emailing the Customer Support Department at backoffice@WinnerFX PRO

17.2 For any data subject requests, as set out in Section 12 of this Policy, or questions about how the Company Processes Client's Personal Data, please contact the Company's Data Protection Officer via:

o Email: Privacy@WinnerFX PRO

o Postal Address: All information WinnerFX PRO office on website Company.

The Company may update this Privacy Policy from time to time. In the event that the Company materially changes this Policy including how it collects, processes or uses clients' personal information, the revised Privacy Policy will be uploaded in the Company's website. In this respect, the clients hereby agree to accept posting of a revised Privacy Policy electronically on the website as the actual notice of the Company to its clients. Any dispute over the Company's Privacy Policy is subject to this notice and the Client Agreement/Terms and Conditions. The Company encourages its clients to periodically review this Privacy Policy so that they are always aware of what information the Company collects, how it uses it and to whom it may disclose it, in accordance with the provisions of this Policy.