

The data controller of your personal data is OANDA TMS Brokers S.A.

with its seat in Warsaw, ul. Złota 59, 00-120 Warsaw, NIP 526-275-91-31, for which the District Court for the capital city of Warsaw in Warsaw, XII Commercial Department of the National Court Register maintains registration files under the number KRS 204776, share capital PLN 3 537 560 (paid in full). The Data Protection Officer appointed by the data controller can be contacted by an e-mail: [odo@tms.pl](mailto:odo@tms.pl) or by telephone No.: +48 22 27 66 200.

Your personal data will be processed in order to

conclude and execute the Framework Agreement concluded with the data controller as well as fulfill the statutory duties of the data controller resulting from having the status of an entity conducting brokerage activities, in particular obligations under the Act of March 1, 2018 on counteracting money laundering and financing of terrorism (hereinafter: the "**Act**"). Your personal data will also be processed in order to implement the legitimate interests of the data controller, such as making necessary settlements and pursuing claims arising from the concluded Framework Agreement, security, anti-fraud or direct marketing of the data controller. In addition, they will be processed to provide information and education services. Data processing for purposes other than the above may take place: (i) based on obtaining additional consent, (ii) on the basis of applicable law, or (iii) when it is consistent with the purpose for which the personal data was originally collected (art. 6 par. 4 of EP and Council Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter: "**GDPR**").

The legal basis for the processing of your personal data is:

1. to the extent that data processing is necessary for the implementation of the Framework Agreement and taking action before its conclusion and providing an information and educational service - art. 6 par. 1 letter b of GDPR;
2. to the extent that the data processing is necessary for the data controller to perform legal obligations incumbent on him as an entity performing brokerage activities, in particular consisting in informing the financial supervisory authorities and financial information authorities about the services and transactions performed, verification and identification Client's identity and ongoing monitoring of its business relations and development of analyzes - art. 6 par. 1 letter c of GDPR in conjunction with the provisions of the Act, in particular with art. 34, 35, art. 36 and art. 37 of this Act;
3. to the extent that data processing is necessary to achieve the objectives arising from the legitimate interests of the data controller, such as making the necessary settlements and pursuing claims under the concluded Framework Agreement, security, anti-fraud or direct marketing of the data controller - art. 6 par. 1 letter f of GDPR.

You have the right to access your personal data,

**the right to rectify** it, delete it, and the right to limit data processing. To the extent that the processing is necessary for the implementation of the Framework Agreement to which you are party or to take action on your request prior to its conclusion and providing an information and educational service (Article 6 (1) (b)

of the GDPR) you also have **the right to transfer data**. If you believe that your data is being processed contrary to legal requirements, you can file a complaint with the competent supervisory authority with the President of the Office for Personal Data Protection in Poland.

## Providing data is voluntary, but necessary

for the conclusion of the Framework Agreement, the use of a brokerage service and providing an information and educational service. Failure to provide the data indicated in the Customer Data Sheet will result in the refusal to conclude the Framework Agreement.

## Your personal data can be transferred to the following categories of entities:

banks, entities offering quick payments, companies from the capital group to which the data controller belongs, couriers, postal operators, supervisory authorities, financial information authorities, market data providers, entities managing investment funds, suppliers of tools, software and platforms for servicing transactions and financial operations performed in the course of implementing the Framework Agreement, as well as for sending commercial information by means of electronic communication, legal counsels and entities providing servers and storing data.

## In the case of transferring personal data to third countries, i.e.

to recipients established outside the European Economic Area or Switzerland, in countries that according to the European Commission do not provide sufficient data protection (third countries that do not provide an adequate level of protection), the data controller transfers them using mechanisms in accordance with applicable law, which include, among others EU "Standard Contractual Clauses".

## Your personal data will be stored for the duration of the Framework Agreement, as well as after its termination,

in accordance with art. 49 of the Law, for a period of 5 years, counted from the first day of the year following the year in which the commercial relationship with the client was terminated or until the claims of the law prescribe. The data contained in the results of the evaluations made of the economic relations referred to in art. 34 sec. 3 of the Law will be processed for a period of 5 years, counted from the first day of the year following the year in which they were carried out. In the absence of positive identity verification in connection with the conclusion of the Framework Agreement and a return transfer of funds with an equivalent of 15,000 EUR or more (occasional transactions), your personal data will be stored for a period of 5 years, starting from the first day of the year following the year in which it was carried out or until the legal claims expire; In the case of smaller amounts, your personal data (excluding those processed for the purpose of providing the information and education service) will be deleted immediately after the return of the fund's transfer. The previous data storage periods can be extended to the terms established in art. 49 sec. 3 of the law. To the extent that the processing of the data is based on the legitimate interest of the Administrator, the data will be processed for the time necessary for its implementation, but not beyond the fact that the objection is recognized as justified by its particular situation, and if legitimate interest is Direct Marketing Manager - **until you object**.

## Your personal data will be processed for the duration of the information and educational service agreement,

as well as after its termination, until the limitation period for claims arising from legal provisions.

To the extent that the data is processed for the purposes of direct marketing of the data controller,

you have **the right to object to the processing of data** which does not require justification. If the processing is based on other legitimate interests of the data controller, exercising your **right of objection** requires justifying your special situation.

If you fill in questionnaires regarding financial situation and readiness to investment risk,

the data controller may apply to you **profiling** consisting in grouping of clients according to financial standing, readiness for investment risk and knowledge about financial instruments. The data controller will not, however, apply to you **automated decision-making**. Also, when analyzing transactions, profiling may occur in terms of meeting the requirements of counteracting money laundering and financing of terrorism, which is not automated decision-making.