

## 1. INTRODUCTION

1.1. By using our Website and its constituents, we will require you to disclose certain personal data to us. “**Personal Data**” is data, whether true or not, about you, who can be identified from the data and/or any information to which we may have access to.

1.2. Your privacy is important to us. The purpose of this Privacy Policy is to inform you of how FX NextGen manages Personal Data Please take a moment to read this Privacy Policy so that you know and understand the purposes for which we collect, use and disclose your Personal Data.

1.3. By interacting with us, submitting information to us or setting up any Accounts with us, you agree and consent to FX NextGen, its related corporations and affiliates, as well as our respective representatives collecting, using, disclosing and sharing amongst themselves your Personal Data, and disclosing such Personal Data to FX NextGen’s authorised service providers and relevant third parties in the manner set forth in this Privacy Policy.

1.4. This Privacy Policy supplements but does not supersede nor replace any other consent you may have previously provided to FX NextGen nor does it affect any rights which FX NextGen may have at law in connection with collection, use or disclosure of your Personal Data. FX NextGen may from time to time update this Privacy Policy to ensure that this Privacy Policy is consistent with our future developments, industry trends and/or any changes in legal or regulatory requirements. Subject to your rights at law, you agree to be bound by the prevailing terms of the Privacy Policy as updated from time to time on our Website. Please check regularly for updated information on the handling of your Personal Data.

1.5. For avoidance of doubt, this Privacy Policy forms part of the Website Terms and Conditions (the “Website Conditions”). In the event of any conflict, inconsistency or conflict between this Privacy Policy and the Website Conditions, the Privacy Policy shall prevail. All defined terms contained in the Website Conditions shall apply to this Privacy Policy unless otherwise specifically stated.

## 2. INFORMATION COLLECTED FROM ALL VISITORS TO OUR WEBSITE

2.1. We will obtain personal data about you when you visit us. When you visit us, we may monitor the use of this Site through the use of cookies and similar tracking devices. For example, we may monitor the number of times you visit our Site or which pages you go to. This information helps us to build a profile of our users. Some of this data will be aggregated or statistical, which means that we will not be able to identify you individually. Please see further the section on “**Our Use of Cookies**” below. FX NextGen may also collect Client’s personal data including but not limited to:

- (a) your name, passport or other identification number, telephone number(s), mailing address, e-mail address and any other information relating to you which you have provided us in any forms you may have submitted to us, or in other forms of interaction with you;
- (b) information about your use of FX NextGen's Website and Services, including cookies, IP address, subscription account details and membership details, but only to the extent that FX NextGen may identify you from such information;
- (c) your employment history, education background and income levels;
- (d) your payment related information, such as your bank account or credit card information, and your credit history;
- (e) information about your usage of and interaction with our Website and/or Services including computer and connection information, device capability, bandwidth, statistics on page views, and traffic to and from our Website;
- (f) Information received from third parties connected with FX NextGen providing its products/services (such as reports from credit reference agencies or marketing companies);
- (g) Transactions executed by Customers (such as account deposits and withdrawal of funds from accounts); and
- (h) Correspondence between FX NextGen and Customers (such as telephone calls and e-mail messages).

### 3. COLLECTION OF DATA

3.1. Generally, FX NextGen collects your Personal Data in, but not limited to, the following ways:

- (a) when you submit forms relating to any of our products or services;
- (b) when you register for or use any of our Services on Websites owned or operated by us or when you register as a member of Websites owned and operated by us, or use Services on such Websites;
- (c) when you interact with our client management team;
- (d) when you use our Platform;
- (e) when you establish any Accounts with us;
- (f) when you request that we contact you;
- (g) when you are contacted by, and respond to, our marketing representatives and agents;
- (h) when you respond to our request for additional Personal Data;
- (i) when you ask to be included in an e-mail or other mailing list;
- (j) when we receive references from business partners and third parties, for example, where you have referred by them; and
- (k) when you submit your Personal Data to us for any other reason

#### 4. PURPOSES FOR THE COLLECTION, USE AND DISCLOSURE OF YOUR PERSONAL DATA

4.1. We will use your Personal Data only as permitted by law, and subject to the terms of our Privacy Policy.

4.2. We do not sell or share your Personal Data with unrelated third parties for their direct marketing purposes.

4.3. The use of Personal Data includes:

(a) sending you weekly newsletters, contact you about products and services we think may be of interest to you;

(b) verifying your identity;

(c) managing your account;

(d) contacting you when necessary or appropriate in relation to the products/services being provided to you;

(e) keeping you updated whilst you are a Client on matters relating to your FX NextGen account and activities of FX NextGen;

(f) managing and administering the products/services provided to you;

(g) providing you with information or opportunities that we believe may be relevant to you;

(h) creating anonymous statistical data;

(i) addressing and investigate complaints, claims or disputes;

(j) conducting credit checks;

(k) complying with obligations and requirements imposed on us by applicable laws (local or foreign), regulations, rules, directives, enforcement authorities or other authorities and pursuant to any reporting requirements;

(l) conducting screenings or due diligence checks as may be required under applicable law, regulations or directives; and

(m) pursuing any claim we may have against you.

#### 5. THE USE OF ANONYMOUS INFORMATION

5.1. Certain information that we collect automatically or with electronic tools (such as cookies) is used to anonymously track and measure User traffic for the Services and to enhance your experience with the Services. For example:

(a) **IP Addresses/Session Information.** We occasionally may obtain IP addresses from Users depending upon how you access the Services. IP addresses, browser and session information may be used for various purposes, including helping administer the Services and diagnose and prevent service or other technology

related problems related to the Services. This information may also be used to estimate the total number of Users browsing other Services from specific geographical areas, to help determine which Users have access to privileges to certain content or services that we offer, and to monitor and prevent fraud and abuse. IP addresses are not linked to Personal Data.

(b) Cookies. When you interact with us on our Website, we may collect or analyze anonymized information from which individuals cannot be identified (“**Aggregate Information**”), such as number of Users and their frequency of use, the number of page views (or page impressions) that occur on the Website and common entry and exit points into Website. FX NextGen uses “cookies”, where a small data file is sent to your browser to store and track aggregate information about you when you enter our Website. The cookies are used to track information such as the number of Users and their frequency of use, profiles or Users and their preferred sites.

(c) FX NextGen may use an independent company (the “**Third Party Market Research Company**”) to measure and analyze the Internet usage across the Website. FX NextGen uses the Third Party Market Research Company’s services to collect the following core information on the usage of the Website, including, but not limited to:

- i. the number of page views (or page impressions) that occur on the Website;
- ii. the number of unique visitors to the Website;
- iii. how long these unique visitors (on average) spend on the Website when they do visit; and
- iv. common entry and exit points into the Website.

5.2. This information is aggregated by the Third Party Market Research Company and provided to FX NextGen to assist in analyzing usage of the Website. Such data is also accessible by media organizations and research companies, for the purpose of conducting industry comparisons with other Internet portals.

5.3. Pages on the Website may be coded with software, which enables Third Party Market Research Company to track visitors to the Website.

5.4. Should you wish to disable the cookies associated with these technologies, you may do so by changing the setting on your browser. However, you may not be able to enter certain part(s) of the Website.

## 6. DISCLOSURE OF PERSONAL DATA BY FX NEXTGEN

6.1. In the course of operating our business, it may be necessary or appropriate for us to provide access to your Personal Data to others such as our service providers, contractors, select vendors and affiliates so that we can operate the Services and our business. Where practical, we will seek to obtain confidentiality agreements consistent with this Privacy Policy and that shall limit others’ use or disclosure of the Personal Data you have shared.

6.2. We may share your Personal Data if we are required to do so by law or we in good faith believe that such action is necessary to:

- (1) comply with the law or with legal process (such as pursuant to court order, subpoena, or a request by law enforcement officials);
- (2) to protect, enforce, and defend our Website Conditions, rights and property;
- (3) protect against the misuse or unauthorized use of the Services; or
- (4) protect the personal safety or property of our Users or the public (among other things, this means that if you provide false information or attempt to pose as someone else, information about you may be disclosed as part of any investigation into your actions.)

## 7. ACCESS TO YOUR INFORMATION AND UPDATING AND CORRECTING YOUR INFORMATION

7.1. You have a limited right to request a copy of the information that we hold about you. If you would like a copy of some or all of your personal information, please send an email to [info@fxnextgen.com](mailto:info@fxnextgen.com). We may make a small charge for this service.

7.2. We want to ensure that your personal information is accurate and up to date. If any of the information that you have provided to FX NextGen changes, for example if you change your email address, name or payment details, or if you wish to cancel your registration, please let us know the correct details by sending an email to [info@fxnextgen.com](mailto:info@fxnextgen.com). You may ask us, or we may ask you, to correct information you or we think is inaccurate, and you may also ask us to remove information which is inaccurate.

## 8. NON-DISCLOSURE

8.1. We do not sell, trade, or otherwise transfer to third parties your personally identifiable information. This does not include trusted third parties who assist us in operating our website, conducting our business, or servicing you, as long as these parties agree to keep this information confidential. We may also release your information when we believe release is appropriate to comply with the law, enforce our site policies, or protect ours and others' rights, property, or safety. However, non-personally identifiable visitor information may be provided to other parties for marketing, advertising, or other uses.

## 9. LINKS TO OTHER WEBSITES

9.1. Our Website may contain links to other websites operated by third parties, such as our business partners. We are not responsible for the privacy practices of websites operated by third parties that are linked to our website. We encourage you to learn about the privacy policies of such third party websites. Some of these third party websites may be co-branded with our logo or trademark, even though they are not operated or maintained by us. Once you have left our Website, you should check the applicable terms, conditions and policies of the third party website to determine how they will handle any Personal Data they collect from you.

## 10. SALE OF BUSINESS

10.1. If FX NextGen's business is sold or integrated with another business your details may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

## 11. SECURITY MEASURES

11.1. The security and confidentiality of your Personal Data is extremely important to us. We have implemented technical, administrative and physical security measures to protect guest information from unauthorized access and improper use. From time to time, we review our security procedures in order to consider appropriate new technology and methods. Please be aware though that, despite our best efforts, no security measures are perfect and impenetrable, and no data transmissions over the web can be guaranteed 100% secure. Consequently, we cannot ensure or warrant the security of any information you transmit to us and do so at your own risk.

## 12. CHANGES TO PRIVACY POLICY

12.1. We keep our Privacy Policy under regular review and may make changes at any time without prior written notice. Amendments to this Privacy Policy will be effective from the time they are posted on our website and Clients' continued use of this website will constitute acceptance of any amendments to this Privacy Policy. This Privacy Policy was last updated on 2 day of May 2017. We welcome your views about our Site and our Privacy Policy. If you would like to contact us with any queries or comments, please send an email to [info@fxnextgen.com](mailto:info@fxnextgen.com).

## 14. GOVERNING LAW

14.1. This Privacy Policy shall be governed in all respects by the relevant laws and regulations.

14.2. These Website Conditions shall all be governed and construed in accordance with the laws of Republic of Vanuatu applicable to agreements made and to be performed in Republic of Vanuatu. You agree that any legal action or proceeding between FX NextGen and you for any purpose concerning the Website Conditions or the parties' obligations hereunder shall be brought exclusively in a federal or state court of competent jurisdiction sitting in Republic of Vanuatu.