

# **DATA PROTECTION POLICY**

**AtonLine Limited**

This Data Protection Policy is issued by AtonLine Limited (together, ‘ALL’, the ‘Company’, ‘we’, ‘us’, or ‘our’) and it concerns natural persons who are current or potential customers of ALL or act as authorized representatives of legal entities or natural persons which/ who are current or potential customers/counterparties of ALL or are the directors or beneficial owners of legal entities who are current or potential customers/counterparties of ALL (together, ‘you’, ‘your’). This Data Protection Policy concerns also natural persons who had such business relationship with ALL in the past.

ALL respects your privacy and is committed to handling your personal data with transparency and integrity. When processing personal data provided by you, ALL is subject to the provisions of the Regulation 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 (Data Protection Directive) 2016/679 (‘GDPR’) and any applicable data protection laws or regulations of the Republic of Cyprus. ALL acts as a controller of your personal data under GDPR, which means that it determines solely or jointly with others, the purposes and means of the processing of your personal data.

This Data Protection Policy provides, inter alia, information on the following key areas:

- a. the categories of personal data that are collected and processed by ALL and the purposes of that processing;
- b. the legal basis for the processing of your personal data;
- c. the recipients or categories of recipients of your personal data;
- d. the principles relating to the processing of your personal data;
- e. your rights under applicable legislation and an explanation of how those rights can be exercised.

For the purposes of this Policy, ‘personal data’ means any information relating to you that identifies you, directly or indirectly.

‘Processing’ means any operation or set of operations which is performed on personal data, such as collection, recording, storage, use, disclosure, erasure or destruction.

## **Who we are**

ALL is a licensed investment firm, registered in Cyprus under registration number HE 112404 and regulated by the Cyprus Securities and Exchange Commission (‘CySEC’) under license number CIF 104/09 (from 22.09.09). ALL’s registered office address is at Themistokli Dervi, 5, ELENION BUILDING, 2nd floor, 1066, Nicosia, Cyprus.

ALL has a branch in Netherlands to which this Data Protection Policy is also applicable.

If you have any questions or concerns relating to the processing of personal data by ALL, you can contact our Data Protection Team by email at [dataprotection@atoint.com](mailto:dataprotection@atoint.com) or by phone +357 (22) 680015 or in writing to our post address at 20 Kyriacos Matsis Avenue, 4th Floor, 1082, Nicosia, Cyprus.

## **Collection of personal data**

In order to register for an account with ALL, the following personal data is required from you:

- a. Personal information such as your name, date and place of birth, citizenship, nationality, home address, passport/ ID number, FATCA/ CRS information (tax residency, tax identification

number), contact details (telephone, email), bank account details, occupation and information on whether you hold/held a prominent public function (for PEPs);

b. Financial information such as your income, source of funds and investment objectives;

c. Documents that verify your identity and residency such as an international passport or national ID and utility bills or bank statements.

We may also collect and process personal data from public sources (e.g. the Department of Registrar of Companies and Official Receiver, the press, the internet) as well as from risk management sites.

## **Legal basis for the processing of your personal data**

The protection of your Data Protection and personal information is of great importance to us. Your personal data is processed lawfully, fairly and in a transparent manner on the following bases:

a. *For the performance of a contract.* The processing of your personal data is necessary for the performance of a contract, namely the trading agreements to which you are party, or in order to take steps at your request prior to entering into a contract. In order to be able to render investment services to you and administer our relationship, we need to collect certain information about your identity, financial background and investment objectives.

b. *For compliance with a legal obligation.* The processing of your personal data is necessary for compliance with the legal obligations emanating from a number of laws to which ALL is subject, e.g. the European Markets in Financial Instruments Directive ('MiFID II') and the corresponding Investment Services and Activities and Regulated Markets Law of the Republic of Cyprus, the European and Cyprus legislation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, the Common Reporting Standard ('CRS'), the Market Abuse Regulation ('MAR'), the European Market Infrastructure Regulation ('EMIR'), the Foreign Account Tax Compliance Act (FATCA).

Compliance with these legal obligations requires, inter alia, identity verification procedures and processes, anti-money laundering controls, the retention of personal data for a certain period of time, the disclosure of personal data to the supervisory and other regulatory and public authorities, etc.

c. *For the purposes of the legitimate interests pursued by ALL.* The processing of your personal data is necessary for the purposes of the legitimate interests pursued by ALL, where those interests do not infringe your interests, fundamental rights and freedoms. These legitimate interests include business or commercial interests and examples of relevant processing activities include: preparing our defense in litigation procedures; preventing fraud and money laundering activities; managing business and further developing and marketing of products and services.

## **Your obligation to provide us with your personal data**

The provision of your personal data is a requirement necessary to enter into a contract with ALL and as a client of ALL you will have statutory and contractual obligation to provide and keep up to date and accurate the personal data you provide us with. Failure to provide such data will not allow us to commence or continue our business relationship, as compliance with our legal obligations will be deemed impossible.

## **Recipients or categories of recipients of your personal data**

In the course of the performance of our contractual and statutory obligations and for legitimate business purposes, your personal data may be disclosed to:

- a. Supervisory and other regulatory and public authorities, upon request or where required. Some examples are the Cyprus Securities and Exchange Commission, the Unit for Combating Money Laundering (MOKAS), criminal prosecution authorities.
- b. To the other members of Aton Group in particular to Aton OOO (LLC) .
- c. Auditors, lawyers, consultants and other outside professional advisors of ALL, subject to confidentiality agreements.
- d. Third party processors such as payment services providers, companies who assist us with the effective provision of our services to you by offering technological expertise, solutions and support, file storage and records management companies.

All data processors appointed by us to process personal data on our behalf are bound by contract to comply with the GDPR provisions.

## **Principles relating to the processing of your personal data**

We have implemented appropriate technical and organizational measures to ensure appropriate security of your personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage.

We take reasonable steps to ensure that your personal data that we process are accurate and, where necessary, kept up to date. From time to time we may ask you to confirm the accuracy of your personal data. We take every reasonable step to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

We also make sure that all personal data we collect are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

## **Period for which your personal data will be stored**

We will keep your personal data for the duration of our business relationship and for five (5) years after the termination of our business relationship, unless otherwise requested by a competent authority, in line with the provisions of the applicable European and Cyprus legislation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, the Markets in Financial Instruments Directive ('MiFID II') and the corresponding Investment Services and Activities and Regulated Markets Law of the Republic of Cyprus.

We may keep your data for longer if we cannot delete it for legal or regulatory reasons. In particular, the retention of data is not limited in time in the case of pending legal proceedings or an investigation initiated by a public authority, provided that in each case the Company has been informed of the pending legal proceedings or the investigation initiated by a public authority within the retention period described hereinabove.

## **Your rights**

You have the following rights regarding your personal data we control and process:

- a. The right to request access to, or copies of, your personal data, together with information regarding the processing of those personal data.
- b. The right to request rectification of any inaccurate personal data concerning you.
- c. The right to request, on legitimate grounds and where there is no good reason for us continuing to process it, erasure of your personal data.
- d. The right to object, on grounds relating to your particular situation, to the processing of your personal data which is based on a legitimate interest pursued by ALL. We shall no longer process your personal data, unless we demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedom or for the establishment, exercise or defense of legal claims. You also have the right to object where your personal data are processed for direct marketing purposes and we shall stop the processing of your personal data for such purposes.
- e. The right to request restriction of processing of your personal data where one of the following applies: i) your personal data is not accurate and we need to stop processing it until we verify it, ii) your personal data has been used unlawfully, iii) we no longer need your personal data for the purposes of the processing, but you want us to keep it for use in possible legal claims and iv) you have already objected to the processing of your personal data and you are waiting for us to confirm if we have legitimate grounds for the processing of your data.
- f. The right to have your personal data transferred to another controller, to the extent applicable.
- g. The right to withdraw your consent, where we process your personal data on the basis of your consent. Please note that any withdrawal of consent shall not affect the lawfulness of processing based on consent before it was withdrawn by you.
- h. The right to lodge a complaint regarding the processing of your personal data by us. You can lodge your complaint at [dataprotection@atonint.com](mailto:dataprotection@atonint.com) . If you feel that your concerns have not been adequately addressed by us, you have the right to lodge a complaint with the Office of the Commissioner for Personal Data Protection of the Republic of Cyprus. You can find information about submitting a complaint on their website (<http://www.dataprotection.gov.cy>).

## **International transfer of personal data**

Your personal data may be transferred to third countries (i.e. countries outside the European Economic Area), to recipients mentioned in paragraph above, in connection with the purposes set out in this Data Protection Policy.

We may transfer your personal data to countries that may have different laws and data protection compliance requirements; however processors in third countries are obliged to comply with the European data protection standards when processing your personal data.

## **Automated decision-making and profiling**

The decision to establish a business relationship with you is not based on automated processing of your personal data. We may process some of your data automatically, in order to comply with regulatory requirements ALL is subject to. Data assessments, including transaction monitoring, are carried out in the context of combating money laundering and fraud.

## **Direct marketing**

We may process your personal data to contact you, primarily by email, in order to provide you with information concerning products and services that may be of interest to you. Please note that in accordance with the applicable law, the processing of personal data for direct marketing purposes may be

regarded as carried out for a legitimate interest pursued by the Company. However, if you do not wish to receive marketing communications from us, you can opt out at any time by contacting your regular ALL contact or by sending an email to our Data Protection Team. After you unsubscribe, we will not send you further promotional emails, but we will continue to contact you to the extent necessary for the purposes of any services you have requested.

## **Children's data**

ALL does not provide any services to children, nor processes any personal data in relation to children, where 'children' are individuals who are under the age of eighteen (18).

## **Changes to this Data Protection Policy**

At any time the Company may amend this Data Protection Policy. You will be notified about material changes, however you are encouraged to review this Data Protection Policy periodically, so as to be always informed about how we are processing and protecting your personal data.

## **Cookies**

A cookie is a small piece of information stored on your computer or mobile device by a website you visit. Cookies help you navigate our website efficiently and allow us to understand visitor trends. To find out more about how we use cookies, please check our Cookie Policy.