

Privacy Policy

short version

Last updated 07 June 2022.

This privacy notice applies to DMS Capital AG, which sometimes use trading names including DMS Capital (together "DMS Capital" or "we" or "our").

This notice shows our commitment to protect your privacy rights and sets out the basis on which any personal information we collect from you, or that you provide to us, will be processed by us. It applies to:

- the website/portal features and services provided to you when you visit our websites, portals or our payment panels our clients may use on their websites;
- your use of software including terminals, mobile and desktop applications provided by DMS Capital;
- email, other electronic messages including SMS, telephone, web chat, website/portal and other communications between you and DMS Capital.

DMS Capital takes a "layered approach" to explaining its privacy practices, as recommended by regulators. This means that we endeavor to initially provide you with the key privacy information in the form of this "short form" privacy notice. Contact us details are provided at the end of this privacy notice, for feedback or any privacy enquiries you may have.

INFORMATION WE MAY COLLECT FROM YOU

You may provide some information to us, for example when you enquire for or make an application for the DMS Capital Services, register to use and/or use any DMS Capital Services, by filling in forms on one of our websites, participating in one of our events or by corresponding with by us phone, e-mail, web chat or otherwise. We may collect some of it through automatic means, for example by using cookies when you visit our websites. We may also obtain data about you from third parties, like credit reference and fraud prevention agencies.

USES OF THE INFORMATION

We use information we collect about you to provide you with the products we offer, to notify you about changes to our products and to improve our products. We also use this information to provide you with information about other products we or selected third parties offer which are similar to the ones you have used or enquired about or we think may be of interest to you. If you use one of our financial products, we will also use your information to assess your financial situation and to try to identify and prosecute possible frauds.

DISCLOSURE OF YOUR INFORMATION

We will not disclose your personal data to anyone except as described in this notice.

We may share your personal information with third parties to provide you with the products we offer, including service providers, credit reference agencies and financial institutions. We may also share your personal information with third parties to prevent crime and reduce risk, if required to do so by law, where we deem it appropriate to do so, to respond to legal process or to protect the rights or property of DMS Capital, our customers or others.

WHERE WE STORE YOUR PERSONAL DATA AND DATA SECURITY

The information DMS Capital collects from you may be transferred to, stored at and processed by recipients located in destinations outside the European Economic Area ("EEA"). These countries may have data protection standards that are different to (and, in some cases, lower than) those in which you reside. We will take all steps necessary to ensure that the recipients will use and protect your information in the same secure way that we do.

If we have given you (or if you have chosen) a password, access code or any other secure means or access or authentication which enables you to access certain parts of our site, you are responsible for keeping this password confidential and complying with our instructions. You must not share your password or other login credentials with anyone, and you hereby authorize DMS Capital to act upon instructions and information from any person that enters your credentials.

The transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site, unless you are communicating with us through a secure channel provided by us. Once we have received your information, we will use strict procedures and security features in an effort to prevent unauthorized access.

YOUR RIGHTS

Where applicable, you may have certain rights under data protection legislation, including the right to access, correct, update or delete your personal information; object to or restrict its

processing; request to transfer certain of your personal information to another service provider (so called, data portability); or to revoke any consent you have given.

However, please note that there are exceptions to those rights

AUTOMATED DECISION MAKING

Automated decisions mean that a decision concerning you is made automatically on the basis of a computer determination (using software algorithms), without our human review.

For example, we use automated decisions to complete a credit assessment on you when you apply to financial services of DMS Capital or to carry out anti-fraud checks on the transactions you perform. However, if you are in the European Union, you have the right to object the automated decision and have it manually reviewed based also on information that you can provide. You can contact us at the details below to exercise your right.

LEGAL BASIS FOR PROCESSING

DMS Capital will process your personal information only when we have one of the following grounds:

- On the basis of your consent, for example to send you marketing messages;
- Where necessary to enter into a contract with you and perform our obligations under that contract;
- Where we have a legitimate interest, subject to such processing not overriding your own rights and freedoms;
- Where we have a legal obligation to collect your personal information or otherwise needs your Personal Information to protect your vital interests or those of another person; or
- Exceptionally, when necessary in the public interest, for example when law enforcement agencies request information to investigate a crime.

CHANGES TO OUR PRIVACY NOTICE

Any changes we may make to our privacy notice in the future will be posted on this page and, where appropriate, notified to you by e-mail.

CONTACT US

At DMS Capital, we welcome all comments, queries and requests relating to our use of your information.

Our Data Protection Officer is the person in charge of ensuring our company adheres to this privacy notice. This person is also the main contact for our Data Protection Supervisory Authority. If you wish to exercise any of your rights or receive further information concerning DMS Capital AG (to which this notice applies), you should write to our Data Protection Officer (DPO) at the address below:

DMS Capital AG, Attention: DPO, Metallstrasse 8, 6300 Zug, Switzerland.