



PRIVACY NOTICE

1 PURPOSE OF THIS NOTICE

This privacy notice (“Notice”) explains how your personal data is collected, used and disclosed by Tokai Tokyo Securities Europe Limited (the “Company”, “we”, “our” or “us”) with respect to our business services with you (the “Services”). You are under no statutory or contractual obligation to provide your personal data to the Company. However, if you do not provide the information, the Company may not be able to provide the Services or enter into a contract.

2 DEFINITIONS

“**Data Protection Legislation**” means all the applicable data privacy laws and guidance, including the EU General Data Protection Regulation (2016/679) (“GDPR”) and, in the UK, the Data Protection Act 2018.

“**personal data**” means any information about a living individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

3 PERSONAL DATA WE COLLECT

We collect certain personal data in the course of providing and receiving the Services. We may collect the personal data directly from you through communications, applications or other forms, whether we receive these in writing or electronically.

This data can include:

- **Identity data** we use to identify or authenticate individuals or to meet tax, anti-money laundering (“AML”) and other “Know Your Client” (“KYC”) legal and regulatory obligations, such as details of name, address (private and professional), employer, age/date of birth, nationality, sex, civil status, photograph, place of birth (City/Country), Individual Tax ID and information to assist us to determine whether the individual is a Politically Exposed Person (“PEP”), which may include information about criminal convictions if we are authorised to use this information under Data Protection Legislation. This may also extend to historic information about principals including past employment and qualifications;
- **Employment data** includes industry, role, business activities, and names of current or former employers;
- **Contact data** we use to communicate with clients, suppliers and agents such as details of name, position, current and former addresses (private and professional), telephone number (private and professional), email address;
- **Financial data** includes bank account, transaction and payment card details made and received and goods and services provided or purchased;



- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us;
- **Technical data** that is captured in our web logs such as your device information, unique identification numbers (such as an IP address or device ID), browser information (e.g. URL, browser type and version, pages visited, date/time of access); and
- **Communications data** including communications by email, telephone or post in the course of communicating with clients, suppliers and agents and providing services to clients, including recordings of telephone calls.

4 HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- **Direct interactions:** you may give us your Identity, Contact and Financial data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our services;
 - request marketing to be sent to you; or
 - give us some feedback
- **Automated technologies or interactions:** as you interact with our website, we may automatically collect Technical data about your equipment, browsing actions and patterns. We collect this personal data by using server logs and other similar technologies.
- **Third parties or publicly available sources:** we may receive personal data about you from various third parties and public sources as set out below:
 - Your employer, where the same is one of our customers or vendors
 - Technical data from analytics providers such as Google who may be based outside the EU
 - Identity and Contact data from publicly available sources such as Companies House based inside the EU.

5 HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. A legitimate interest means the interest of our business in conducting and managing our business. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law); or
- Where we need to comply with a legal or regulatory obligation that we are subject to.



Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending direct marketing communications to you via email where we may seek your consent; alternatively we may provide marketing information on the basis of legitimate interest. Irrespective of the basis on which we process your data to provide marketing communications, you have the right to withdraw consent to marketing at any time by contacting the Data Protection Officer, in addition to which our emails contain an unsubscribe option.

Purpose for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data.

Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
Anti-money laundering (AML)/Know your client (KYC)	a) Identity b) Employment c) Contact	Performance of a contract with you Necessary to comply with a legal obligation Necessary for our legitimate interests to prevent fraud, sanctions violations, and money laundering
Client account opening	a) Identity b) Employment c) Contact d) Financial	Performance of a contract with you Necessary to comply with a legal obligation Necessary for our legitimate interests in order to facilitate the growth of our business and initiate or expand upon our trading relationship with you
To provide services to you including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	a) Identity b) Employment c) Contact d) Financial e) Transaction f) Communications	Performance of a contract with you Necessary for our legitimate interests (to recover debts due to us)
To receive goods or services from you	a) Identity b) Employment c) Contact d) Financial	Performance of a contract with you Necessary for our legitimate interests



<p>To manage our relationship with you which will include:</p> <p>a) Notifying you about changes to our terms or this Notice</p> <p>b) Notifying you of changes to relevant policies and procedures which impact upon the services we provide or receive from you.</p> <p>c) Prospecting</p> <p>d) Provision of research</p>	<p>a) Identity</p> <p>b) Employment</p> <p>c) Contact</p> <p>d) Communications</p>	<p>Performance of a contract with you</p> <p>Necessary to comply with a legal obligation</p> <p>Necessary for our legitimate interests (to keep our records updated and enhance our relationship with you) provided these interests are not outweighed by your fundamental rights and freedoms</p>
<p>Compliance and regulatory requirements</p>	<p>a) Identity</p> <p>b) Employment</p> <p>c) Contact</p> <p>d) Financial</p>	<p>Necessary to comply with a legal obligation</p>
<p>Health and safety assessments</p>	<p>a) Identity</p> <p>b) Employment</p> <p>c) Contact</p>	<p>Necessary to comply with a legal obligation</p> <p>Necessary for our legitimate interests for the purpose of providing a safe and secure environment on our premises</p>
<p>Risk Management to manage our staffing, concentration, liquidity, credit, market, operational, business and reputation risk</p>	<p>a) Identity</p> <p>b) Employment</p> <p>c) Contact</p> <p>d) Financial</p> <p>e) Transaction</p> <p>f) Communications</p>	<p>Necessary to comply with a legal obligation</p> <p>Necessary for our legitimate interests for the purpose of managing the risks to which our business is exposed</p>
<p>To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>a) Identity</p> <p>b) Contact</p> <p>c) Technical</p>	<p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>Necessary to comply with a legal obligation</p>

6 DATA RETENTION

We will retain your personal data covered by this Notice for as long as required to perform the purposes for which the data was collected, depending on the legal basis on which that data was obtained and/or whether additional legal/regulatory obligations mandate that we retain the personal data. In general terms, this will mean that the personal data will be kept for the duration of our relationship with you and:

- the period required by tax, company and financial services laws and regulations; and
- as long as it is necessary for you to be able to bring a claim against us and for us to be able to defend ourselves against any legal claims. This will generally be the length of



the relationship plus the length of any applicable statutory limitation period under applicable law.

In certain circumstances, personal data may need to be retained for a longer period of time, for example, where we are in ongoing correspondence or there is a continuing claim or investigation.

7 YOUR LEGAL RIGHTS

You will have certain rights in relation to your personal data. Some of these rights will only apply in certain circumstances. If you would like to exercise, or discuss, any of these rights, you should submit their request in writing or email to the Data Protection Officer and provide sufficient information to allow us to understand the scope of the request.

- **Consent:** if our processing is based on consent, you can withdraw their consent at any time by contacting the Data Protection Officer.
- **Access:** you are entitled to ask us if we are processing your personal data and, if we are, you can request access to your personal data. This enables you to receive a copy of the personal data we hold about you and certain other information about it.
- **Correction:** you are entitled to request that any incomplete or inaccurate personal data we hold about you is corrected.
- **Erasure:** you are entitled to ask us to delete or remove your personal data in certain circumstances. There are also certain exceptions where we may refuse a request for erasure, for example, where the personal data is required for compliance with law or in connection with claims.
- **Restriction:** you are entitled to ask us to suspend the processing of their personal data, for example if you want us to establish its accuracy or the reason for processing it.
- **Transfer:** you are entitled to request the transfer of your personal data to another third party in limited circumstances.
- **Objection:** where we are processing your personal data based on legitimate interests (or those of a third party) you may challenge this. However we may be entitled to continue processing the personal data based on our compelling legitimate interests or where this is relevant to legal claims. You also have the right to object where we are processing personal data for direct marketing purposes.
- **Automated decisions:** you are entitled to contest any automated decision made about you where this has a legal or similarly significant effect and ask for it to be reconsidered.
- **Supervisory Authority:** you also have a right to lodge a complaint with a supervisory authority, in particular in the Member State in the European Union where you are habitually resident, where you work or where an alleged infringement of Data Protection Legislation has taken place.

8 DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 5 above.

- Tokai Tokyo Financial Group companies in order to operate corporate, back office, internal administrative functions and in order to meet the purposes for which we collect and use your personal data;

Authorised and regulated by the Financial Conduct Authority

A wholly owned subsidiary of TOKAI TOKYO FINANCIAL HOLDINGS, INC

Registered in England number: 05922339



- Credit reference and other third party agencies and suppliers in order to carry out AML, KYC and PEP checks and comply with legal obligations;
- Third parties who work on our behalf or for the clients to service or maintain client accounts, such as administrators and managers including those external to us;
- Third parties who are our IT service providers and provide IT support services and perform functions on our behalf and store all email and contact details data for our clients;
- Third parties who provide technical services to process transactions, such as suppliers of trading applications and other IT systems, and print services, which we use to process that personal data;
- Third parties who manage our physical premises;
- Third parties who service or maintain our business contact database and those who support our website;
- Third parties providing services to us such as our professional advisers (e.g. auditors and lawyers);
- A party representing a client, supplier or agent (for example, in response to legal process);
- Competent authorities such as tax authorities, courts, regulators and other government agencies, security or police authorities where required or requested by law or where we consider it necessary (to the extent permitted by law); and
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

9 INTERNATIONAL TRANSFER OF DATA

We may share your personal data with other members of Tokai Tokyo Financial Group companies. This may involve transferring your data outside the European Economic Area (the “EEA”).

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.



TOKAI TOKYO SECURITIES EUROPE LIMITED

- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

10 COMPLAINT

You have the right to make a complaint at any time to the Information Commissioner's Office ("ICO"), the UK supervisory authority for data protection issues (<https://ico.org.uk/concerns/>) or the supervisory authority in your home territory. We would, however, appreciate the chance to deal with your concerns before you approach the ICO or a relevant supervisory authority, so please contact us in the first instance.

11 CHANGES TO THIS NOTICE

We may amend or update this Notice from time to time in whole or part, at our sole discretion. Any changes to this Notice will be effective immediately and this amended document will also be updated on our website at:
<http://www.tokaitokyo-fh.jp/corporate/group/europe/>

12 CONTACT INFORMATION

Your privacy is important to us. If you have any questions, concerns or complaints regarding this Notice or practices, or if you wish to access, verify, correct or delete any personal data we have collected, please contact the Data Protection Officer at:

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