

Foris GFS Australia Pty Ltd Privacy Notice

Last Update: September 2, 2021

This Privacy Notice describes how Foris GFS Australia Pty Ltd and its affiliates, and the Crypto.com family of companies (together, the **"Company"**, **"we"**, **"us"** or **"our"**) collect and handle your Personal Information (as defined below) when communicating with us or accessing or using any of our websites, platforms products, services, or applications (together, the **"Services"**). This Privacy Notice also describes your privacy rights and how you can exercise these rights with us. It is important that you read this Privacy Notice together with any other privacy notice, fair processing notice, or other notice that we may provide when we are collecting or processing Personal Information about you so that you are fully aware of how and why we are using your data. This Privacy Notice supplements but is not intended to override those other notices.

This Privacy Notice applies to your Personal Information in our possession or under our control, including Personal Information in the possession of organizations which have engaged us to provide the services to you or the Personal Information in the possession of organizations which we have engaged to collect, use, disclose or process Personal Information for the purposes stipulated herein. The purpose of this Privacy Notice is to inform you about the types of Personal Information we collect, use, process, or disclose.

From time to time, we may update, modify, or make changes to this Privacy Notice. The Privacy Notice is effective as of the "last update" which appears at the top of this page. We encourage you to check out our website or applications periodically to ensure that you are aware of our current Privacy Notice. We will treat Personal Information in a manner consistent with the Privacy Notice under which it was collected and our current privacy practices, unless we have your consent to treat it differently. This Privacy Notice applies to any Personal Information we collect or receive about you, from any source.

1. The data we collect about you

We collect information from you when you access or use the Services, or when you interact with our website or applications, including without limitation during your account registration process, when you access or use the Services, sign up to receive email updates, fill out any forms, complete surveys, interact with customer service, or when you otherwise communicate with us.

In addition to the above, if you are using the Services on behalf of a corporation or other legal entity, we will collect all the information you provide to us.

“Personal Information” is information or opinion we hold which is identifiable or reasonably identifiable as being about you.

We may also collect, use, store, and transfer different kinds of Personal Information about you from our own analysis of your use of the Services or from third parties who provide information about you to us.

Depending on the nature of your interaction with us, the following table summarizes the major categories of Personal Information that we may collect or process. Note that the table is not intended to be a precise or comprehensive list of every data point we collect or use, but rather a reasonably complete representation of this information to aid you in understanding our data practices.

Category of Personal Information	Examples of Personal Information
Identity Data	<ul style="list-style-type: none">• full name• date of birth,
Contact Data	<ul style="list-style-type: none">• residential address• mailing address• email address,• telephone number
Financial Data	<ul style="list-style-type: none">• credit or debit card details• cryptocurrency
Transaction Data	<ul style="list-style-type: none">• details about payments to and from you,• other details of any transactions:<ul style="list-style-type: none">(i) you enter while using or accessing the Services; and(ii) captured through API connection;

Category of Personal Information	Examples of Personal Information
Technical Data	<ul style="list-style-type: none"> • information about your: <ul style="list-style-type: none"> ◦ internet protocol (IP) address ◦ your login data ◦ browser type and version ◦ time zone setting and location data ◦ browser plug-in types and versions ◦ operating system and platform ◦ other technology or information stored on the devices you allow us access to when you visit our websites or access or use the Services
Profile Data	<ul style="list-style-type: none"> • your username and password, • requests by you for products or services, • your interests, preferences, feedback and survey responses.
Usage Data	<ul style="list-style-type: none"> • information about how you use: <ul style="list-style-type: none"> ◦ our websites ◦ mobile applications ◦ products and Services
Marketing and Communications Data	<ul style="list-style-type: none"> • your preferences in receiving marketing from: <ul style="list-style-type: none"> ◦ us ◦ third parties ◦ your communication preferences.

We also collect, use, and share information that has been anonymized or de-identified, including statistical or demographic data, for any purpose ("**Aggregate Consumer Information**"). Aggregate Consumer Information may be derived from your Personal Information but is not treated as Personal Information because it does not reveal your identity in a reasonable manner.

If you refuse to provide certain data when requested, we may not be able to fulfill our obligations to you or offer Services to you. We may also have to cancel or stop providing Services we provide to you that rely on your provision of that information.

2. How do we collect your Personal Information?

We generally do not collect or process your Personal Information unless:

(a) it is provided to us voluntarily by you or by organizations which have engaged us to provide the services to you or via a third party who has been duly authorized by you to disclose your Personal Information to us (your “**authorized representative**”) after you (or your authorized representative) or the organization which have engaged us to provide the services to you: (i) have been notified of the purposes for which the Personal Information is collected or processed, and (ii) have provided written consent to the collection, processing and usage of your Personal Information for those purposes, or

(b) collection, processing and use of Personal Information without consent is permitted or required by the applicable laws, statutes or regulations in the jurisdiction in which the Services are executed, which relate to the collection, processing, use or processing of Personal Information, personally identifiable data, data privacy and/or protection of Personal Information including, where applicable, the Australian Privacy Principles (“**APPs**”) contained in the Privacy Act 1988 (Cth) (“**Privacy Act**”).

We seek your consent or an undertaking from the organization which has engaged us to provide the services to you that you have consented before collecting or processing any additional Personal Information and before using your Personal Information for a purpose which has not been notified to you (except where permitted or authorized by law).

We use different methods to collect information from and about you:

Direct interactions.

You may give us your Personal Information by filling in forms, using our Services, by email, or otherwise. This includes Personal Information you provide when you:

- apply or register for our products or the Services;
- create an account;
- subscribe to our Services or other publications;
- make use of any of our Services;
- request or indicate that marketing materials may be sent to you;
- enter a competition, promotion, or survey; or
- give us feedback or communicate with us.

Automated technologies or interactions.

As you interact with us via our website(s) or application, we will automatically collect certain Personal Information about your equipment, browsing actions, transactions, feedback, responses, and patterns of use. We collect this Personal Information by using cookies, server logs, and other similar technologies. We may also receive Personal Information about you if you visit other websites employing our cookies. On our main website you will be informed about how we use cookies and the control that you can exercise through the [Cookie Settings](#).

Third parties or publicly available sources.

We may also obtain information about you from third parties who provide identity verification and anti-fraud services, or who verify that you are not limited in your ability to use the Services

by any applicable laws.

3. How do we use your Personal Information?

We identify the purposes for which we use your Personal Information at the time we collect such information from you and obtain your consent, in any case, prior to such use. Generally, we may collect, process and/or use your Personal Information for any or all of the following purposes (the "**Purposes**"):

- To register you as a new customer;
- To verify your identity;
- To conduct credit checks or due diligence checks to minimize risks or frauds;
- To enable fraud protection and risk management processes;
- To comply with the requirements under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and its associated regulations;
- To perform obligations in the course of or in connection with our provision of the services requested by you;
- To provide, process and deliver our Services and any application features to you including:
 - Execute, manage, and process any instructions or orders, you make;
 - Manage, process, collect and transfer payments, fees, and charges; and
 - Collect and recover money owed to us;
- To process your requests and/or transactions;
- To manage your relationship with us or the organization which have engaged us including:
 - Notifying you about changes to our terms or Privacy Notice;
 - Asking you to leave a review or take a survey; and
 - Keep you informed of our company's business and product development;
- To manage risk, compliance, crime prevention and complaints including:
 - Detect, investigate, report, and prevent financial crime in broad sense; Obey laws and regulations which apply to us; and
 - Responding to complaints and resolving them;
- To enable you to partake in a prize draw, competition, or complete a survey;
- To administer and protect our business, our websites or application including troubleshooting, data analysis, testing, system maintenance, support, reporting, and hosting of data;
- To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you;
- To use data analytics to improve our website, products/services, marketing, customer relationships, and experiences;
- To make suggestions and recommendations to you about goods or services that may be of interest to you;
- To comply with any applicable laws, regulations, codes of practice, guidelines, rules, or obligations, or to assist in law enforcement and investigations conducted by any governmental and/or regulatory authority;
- To satisfy/meet all legal, compliance, contractual and/or regulatory requirements as may be applicable to us and/or to our suppliers, agents and other organizations (which are

involved in the performance of Services for you or for us, or on our behalf) in order to provide you with the Services or any App feature;

- To transmit to any unaffiliated third parties including our third party service providers and agents, and relevant governmental and/or regulatory authorities, whether in Australia or abroad, for the aforementioned purposes;
- Any other purposes for which you have provided the information;
- Any other incidental business purposes related to or in connection with the above.

Cookies

We use cookies on our website to optimize your experience when browsing our website or using our online Services. Your browser may have settings to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the Services or our website may become inaccessible or function improperly. Our website may from time to time use cookies to analyze website traffic and help us provide a better website visitor experience. On our main website, we explain how we use cookies and the control that you can exercise through the [Cookie Settings](#).

4. Disclosures of your Personal Information

We identify to whom, and for what purposes, we disclose your Personal Information, at the time we collect such information from you and obtain your consent to such disclosure.

We may disclose your Personal Information and other information we collect with other Crypto.com entities and non-Crypto.com third parties as follows or as otherwise described herein or to you:

- (a) where such disclosure is required for performing obligations in the course of or in connection with the provision of the services requested by you;
- (b) to organizations which have engaged us to perform any of the functions or Purposes above for and on their behalf pursuant to your request; or
- (c) to our employees, officers, third-party service providers, agents, subcontractors, and other associated organizations, our group companies and affiliates in so far as reasonably necessary for the purposes set out herein including to complete tasks, provide the Services to you on our behalf, and otherwise fulfill our obligations.

If we do disclose, we will require such employees, officers, third-party service providers, agents, subcontractors, and other associated organizations, our group companies and affiliates, to protect and respect the security of your Personal Information and to treat it in accordance with the applicable law.

We may disclose your Personal Information and other data you provide to us for the following purposes:

- To verify your identity;
- To detect and prevent fraud, money laundering, terrorist financing, and other financial crimes and illicit activities;

- To facilitate the provision of services and relevant business operations to support our delivery of the Services and related aspects to you;
- To improve our information, technology, and security systems including websites and applications;
- To provide customer service;
- To promote our products or Services if you submit a product review or post content on public areas of our product, Services, or social media accounts;
- To transfer our rights and duties under the relevant terms and conditions governing the use of any Services (to the extent allowed);
- To comply, in our sole discretion, with a legal request or to protect or enforce our rights, including to comply with an applicable law or regulation, or in response to a request for information if we believe disclosure is in accordance with any applicable law, regulation, or legal process, to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability, and to protect the rights, property, and safety of us or others;
- To evaluate, effectuate, or otherwise transfer your Personal Information as part of a proposed or actual sale, merger, restructuring, transfer, or exchange of all or a portion of our assets to another company.

5. Obtaining your consent

We generally obtain your consent prior to collecting, and in any case, prior to using or disclosing your Personal Information for any purpose. The form of consent that we seek, including whether it is express or implied, will largely depend on the sensitivity of the Personal Information and the reasonable expectations you might have in the circumstances.

6. Ensuring your privacy

We ensure that all affiliates, Crypto.com companies, and other third parties that are engaged to perform services on our behalf, or at your request, that are provided with Personal Information observe and comply with the intent of this Privacy Notice and our privacy practices as well as the applicable laws in the jurisdiction in which the Services are executed including, where applicable, the APPs contained in the Privacy Act.

Third-Party Sites

Because our Services are provided through digital means, our websites and applications may from time to time include links to other third-party websites, plug-ins, and applications ("**Third-Party Sites**"). These links are meant for your convenience only. Links to Third-Party Sites do not constitute sponsorship or endorsement or approval of such Third-Party Sites. Clicking on those links or enabling those connections may allow third parties to collect or disclose data about you. Please be aware that we do not own or control these Third-Party Sites and are not responsible for their privacy statements and practices. Any interaction with Third-Party Sites is between you and that Third-Party Site. We encourage you to read and be aware of the privacy notice of each and every Third-Party Site you visit or use.

7. Retention of your Personal Information

We may keep a record of your Personal Information, correspondence, or comments, in a file specific to you. We will utilize, disclose, or retain your Personal Information for as long as necessary to fulfill the purposes for which that Personal Information was collected or as otherwise permitted or required by law.

8. Requesting information about your Personal Information

You may make a written request to access certain details of Personal Information that we have collected, utilized, or disclosed about you in accordance with the provisions of the applicable laws, statutes or regulations in any jurisdiction in which the Services are executed, which relate to the collection, processing, use or processing of Personal Information, personally identifiable data, data privacy and/or protection of Personal Information including, where applicable, the APPs contained in the Privacy Act. We will make such Personal Information available to you in a form that is generally understandable and will explain any abbreviations or codes.

We understand that there are times whereby we may be requested to speed up our response and in the event we receive such a request from you, please be informed that we may contact you to find out further details pertaining to your request.

If you would like to make a written request to access such Personal Information, please email us at: dpo@crypto.com

Please note that applicable law may require or permit us to refrain from providing you with information that we hold about you with or without notice.

9. Accuracy of your Personal Information

It is important that the Personal Information we hold about you is accurate, complete and up to date as possible. Please keep us informed if your Personal Information changes during your relationship with us. If you believe that any information we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, please contact us.

10. Responding time

We will attempt to respond to each of your written requests not later than thirty (30) days after receipt of such requests. We will advise you in writing if we cannot meet your requests within this time limit. While we strive to respond to written requests within the timeframe permitted, you have the right to make a complaint to the supervisory authority under the applicable law.

11. No hidden cost for requesting information

We will not charge any costs for you to access your Personal Information in our records or to access our privacy practices without first providing you with an estimate of the approximate costs, if any.

12. Verifying your request

To protect your Personal Information and to prevent any unauthorized disclosure of your Personal Information, we may request that you provide sufficient identification prior to providing the access to the existence, use or disclosure of your Personal Information. Any such identifying information will be used only for this purpose, unless previously provided for another Purpose.

13. Safeguarding your Personal Information

While no online or electronic system is guaranteed to be secure, we take reasonable measures designed to protect the information, we collect, from loss, theft, misuse, and unauthorized access, disclosure, alteration, and destruction. In particular, we implement reasonable security practices and procedures designed to protect the confidentiality and security of this information in accordance with, and prohibit disclosure other than as permitted by, this Privacy Notice. We also use reasonable measures designed to limit access to your Personal Information to those employees, agents, contractors and other third parties who have a business reason to know such information. Such access and disclosure are subject to a duty of confidentiality.

We have put in place reasonable procedures to deal with any suspected Personal Information breach and will notify you and any relevant regulator of any known breach in accordance with applicable law.

If you want to know more about our security practice, please visit the following link:

<https://crypto.com/security>

14. Contact Us

If you have any comments, questions, concerns or complaints regarding your Personal Information or our privacy practices, please feel free to send in details of the same to our Data Protection Officer's team as follows:

By written notice:

Attention To: Data Protection Officer of Foris GFS Australia Pty Ltd

Address: Tricor Services (Australia) Pty Ltd, Level 3, 1049 Victoria Road, West Ryde NSW 2114, Australia

By email: dpo@crypto.com

We take all comments, questions, concerns and complaints very seriously and will respond as soon as reasonably practicable upon receiving the same.

14. Effect of Privacy Notice

This Privacy Notice applies in conjunction with any other notices, contractual clauses, and consent clauses that apply in relation to the collection, use, and disclosure of your Personal Information by us and/or by the organizations which have engaged us to process your Personal Information.

In the event of any inconsistency between different versions of this Privacy Notice (if any), the English version shall prevail.
