

## **Nebula FX PTY LTD**

### **Website privacy policy**

This website is operated by Nebula FX PTY LTD. The privacy of our users is extremely important to us and therefore we encourage all users to read this policy very carefully because it contains important information regarding:

- who we are;
- how and why we collect, store, use and share personal information; your rights in relation to your personal information; and
- how to contact us and supervisory authorities in the event that you have a complaint.

#### **Who we are**

Nebula FX PTY LTD ('we' or 'us') collect, use and are responsible for storing certain personal information about you. When we do so, we are regulated under the General Data Protection Regulation which apply across the European Union (including the United Kingdom) and we are responsible as a 'controller' of that personal information for the purposes of those laws.

#### **The personal information we collect and use**

##### **a. Personal information you provide to us**

We collect the following personal information that you provide to us:

- Requirements for fulfillment of KYC/KYB onboarding

Some examples of when we collect this information include:

- When registering for an account;
- When making purchases.

##### **b. Personal information from other source**

We may receive information about you from other sources. This information includes:

- Credit Information

We will add this information to the information we hold about you for the following purposes:

- To check for possible fraudulent activity;
- To confirm user's age and address;

To improve and personalize our service.

c. Sensitive personal information

Sensitive personal information includes any information which relates to the following:

- your genetic data;
- your biometric data;
- your ethnic origin;
- your political opinions;
- your religious beliefs;
- whether you belong to a trade union;
- your physical or mental health or condition;
- your sexual orientation; and
- whether you have committed a criminal offense.

We may request that you provide sensitive information, but if we do, we will in every instance explain why we are requesting it and how we intend to use it. We will only collect your sensitive personal information with your explicit consent.

d. Personal information you provide about third parties

If you give us information about another person, you confirm that the other person has appointed you to act on their behalf and agreed that you:

- shall consent on their behalf to the processing of their personal data;
- shall receive any data protection notices on their behalf;
- shall consent on their behalf to the transfer of their personal data abroad; and
- shall consent on their behalf to the processing of their sensitive personal data.

e. Monitoring and recording communications

We may monitor communications such as emails and telephone calls for the following purposes:

- Fraud Prevention;
- Compliance.

#### f. Cookies and similar technologies

A cookie is a small text file which is placed onto your computer or electronic device when you access our website. Similar technologies include web beacons, action tags, local shared objects ('flash cookies') and single-pixel gifs. Such technologies can be used to track users' actions and activities, and to store information about them. We use these cookies and/or similar technologies on this website.

In addition it should be noted that in some cases our cookies or similar technologies may be owned and controlled by third parties who will also collect personal information about you.

The following examples illustrate how we may use cookies to monitor and/or collect the following information:

Page Visits;  
Location Data.

This information helps us to build a profile of our users. Some of this information may be aggregated or statistical, which means that we will not be able to identify you individually.

On the first occasion that you use our site we will ask whether you consent to our use of cookies. If you do not, cookies will not be used. Thereafter you can opt-out of using cookies at any time or you can set your browser not to accept cookies and the websites below tell you how to remove cookies from your browser. However, some of our website features may not function as a result.

#### **How we use your personal information**

We collect information about our users for the following purposes:

Statistical & Behavioral Analysis

#### **Who your information may be shared with**

We may share your information with:

Law enforcement agencies in connection with any investigation to help prevent unlawful activity;  
Credit reference agents in accordance with our credit checking policy below;  
RapidID & Relevant Watchlist Agencies

**Marketing**

We would like to send you information about products, services, offers, competitions and our business which may be of interest to you. Such information could be sent by post, email, telephone, text message or automated call.

We will ask whether you would like us to send you marketing messages on the first occasion that you provide any relevant contact information (i.e. on purchase, signing up to a newsletter, entering a competition etc). If you do opt in to receive such marketing from us you can opt out at any time (see 'What rights do you have?' below for further information). If you have any queries about how to opt out, or if you are receiving messages you do not want you can contact us using the details provided below.

**Credit checking**

We may do a credit check on you so that we can make credit decisions about you and members of your household, and to prevent and detect fraud and money laundering. Any such search will be recorded on the files of the credit reference agency.

We may also disclose information about how you conduct your account to credit reference agencies and your information may be linked to records relating to other people living at the same address with whom you are financially linked.

Other credit businesses may use your information to: make credit decisions about you and the people with whom you are financially associated; trace debtors; and prevent and detect fraud and money laundering.

If you provide false or inaccurate information to us and we suspect fraud, we will record this. If you want to see your credit file, please contact the credit reference agency which we use EQUIFAX.

**Required personal information**

The provision of the following information is required from you:

KYC/KYB

This is to enable us to do the following:

Provide Services

We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

### **How long your personal information will be kept**

We will hold your personal information for the following periods:

7 years

These periods are no longer than necessary in each case.

### **Reasons we can collect and use your personal information**

We rely on the following as the lawful basis on which we collect and use your personal information:

- (1). consent;
- (2). contract;
- (3). legal obligation;
- (4). vital interests;
- (5). public task;
- (6). legitimate interests;
  - (a). The legitimate interests relied upon are as follows: Fraud Prevention & Compliance

The basis upon which we process your sensitive information (i.e. special category as defined in the GDPR) is:

- (1). the explicit consent of users;
- (2). for employment, social security or social protection reasons;
- (3). to protect the vital interests of the data subject;
- (4). that such sensitive information has been made publicly available by the data subject;
- (5). that it is necessary for any relevant legal claims or judicial acts;
- (6). it is necessary for reasons of substantial public interest;
- (7). it is for relevant archiving, research and statistical data in the public interest.

## **Keeping your information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorized way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorized manner and are subject to a duty of confidentiality.

We will also use technological and organization measures to keep your information secure. These measures may include the following examples:

All data is stored on secure servers

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Indeed, while we will use all reasonable efforts to secure your personal data, in using the site you acknowledge that the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal data that are transferred from you or to you via the internet. If you have any particular concerns about your information, please contact us using the details below.

## **Transfers of your information out of the EEA**

We may need to transfer your personal data to the following countries outside of the European Economic Area:

Australia

These transfers will be undertaken for the purpose of:

Fraud Prevention & Compliance

For more information on the basis of any non-EEA transfers, our safeguards or Commission details, please contact us as described below. We will not otherwise transfer your personal data outside of the EEA or to any organization (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

## **Children and the validity of consent**

Where we obtain consent from any user we will take reasonable steps to ascertain whether the user is over 13 years of age and whether the child is sufficiently informed to give valid consent. If the user is not, parental consent will be required to provide consent for the processing of any personal information.

## **What rights do you have?**

Under the General Data Protection Regulation you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address require us to correct any mistakes in your information which we hold require the erasure of personal information concerning you in certain situations receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of personal information concerning you for direct marketing
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of your personal information
- otherwise restrict our processing of your personal information in certain circumstances
- claim compensation for damages caused by our breach of any data protection laws

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individual's rights under the General Data Protection Regulations (<http://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>)

If you would like to exercise any of these rights please:

- email, call or write to us
- let us have enough information to identify you
- let us have proof of your identity (a copy of your driving license, passport or a recent credit card/utility bill)
- let us know the information to which your request relates

From time to time we may also have other methods to unsubscribe (opt-out) from any direct marketing including for example, unsubscribe buttons or web links. If such are offered, please note that there may be some period after selecting to unsubscribe in which marketing may still be received while your request is being processed.

### **How to complain**

We hope that we can resolve any query or concern you raise about our use of your information.

The General Data Protection Regulation also gives you the right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

### **Changes to the privacy policy**

This privacy policy was published on 9th Sep 2024 and last updated on 24th March 2024.

We may change this privacy policy from time to time. You should check this policy occasionally to ensure you are aware of the most recent version that will apply each time you access this website. We will also attempt to notify users of any changes by: By notice on the website

### **Contacting us**

If you have any questions about this policy or the information we hold about you, please contact us by:

e-mail: [support@nebulafx.com.au](mailto:support@nebulafx.com.au)