

Kinesis Global Pty Ltd

ACN 656 201 660

Privacy Policy

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Document control

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1.0	November 2024	Liam Hennessy, Clyde & Co	Creation	Thomas Coughlin

Kinesis Global Pty Ltd

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1 Introduction

The following Privacy Policy (**Policy**) is applicable to the trading platform (including any applicable websites and mobile applications used to access the same) (collectively the "**Platform**") provided by Kinesis Global Pty Ltd ACN 656 201 660 ("**Kinesis**", "**we**", "**us**", or "**our**"). It describes how we collect, use, and disclose Personal Information that we obtain from current or prospective customers or users ("**you**" or "**your**") of the Platform and any account services provided through the Platform.

For the purpose of this Policy and associated Platform Terms & Conditions at (Insert Kinesis Site), "**Personal Information**" refers to any information that relates to an identified or identifiable individual. We do not consider Personal Information to include information that has been anonymised, where it does not identify a specific user.

Kinesis is bound by the Australian Privacy Principles contained in the *Privacy Act 1998* (Cth) when handling your Personal Information. This Policy applies in addition to and does not limit, our rights and obligations under Privacy Laws.

2 Your acknowledgment of this Policy

By providing us with, or authorising us to collect, your Personal Information, you acknowledge that you have read and understood this Policy and consent to the collection, use, and disclosure of your personal information in accordance with this Policy and any other arrangements that apply between us.

If you do not want your Personal Information to be used or disclosed as described in this Privacy Policy, you should not use this Platform, technologies, products and or functionalities offered by the Platform (Collectively, the "**Services**").

3 Information Collected

3.1 We collect these types of Personal Information:

- (a) **Non-Personally Identifiable Information.** The first type is non-personally identifiable data and statistical information. Non-personally identifiable data that is being gathered consists of technical information and behavioral information that does not pertain to a specific individual ("**Non-Personal Information**"). This includes your device type, browser type and version, IP data, screen size and resolution, language and other technical data. While it is not specifically personally identifiable, it may be reverse-engineered to be identifiable and therefore is considered Personal Information.
- (b) **Personally Identifiable Information.** The other type of information we collect is individually identifiable information. To put it simply, this information identifies an individual or is of a private and/or sensitive nature, such as your contact information and financial data, including:
 - (i) Your contact details , which include your email address, phone number, full name, date of birth, gender, residential address, and postal address.
 - (ii) Your financial data, including the identity of digital assets accounts you transferred sums to or from, and your bank details, tax identification number,

income/net assets/wealth verification statements, as well as your transaction list.

- (iii) Your documents and data uploaded in our Know-Your-Customer (**KYC**) process, including a photocopy of your government issued ID, passport, driver's licence, occupation and place of work, a video containing your image, your proof of address and utility bills, and other data filled in our forms such as your source of wealth and source of funds.

3.2 Sensitive Information

- (a) This information is a class of Personally Identifiable Information and involves any data that directly or indirectly reveals information about a person's ethnic or racial origin, political or philosophical opinions, religious beliefs, criminal records, sexual orientation, or any data related to the health records of the person, such as physical, psychological, mental, or genetic conditions.
- (b) We will not collect Sensitive Information about you without your consent unless an exemption or exception applies. These exemptions or exceptions include if the collection is required or authorised by law, or if it's necessary to take appropriate action in relation to suspected unlawful activity or serious misconduct.

4 How do we collect your Personal Information?

4.1 We collect your Personal Information in the following ways:

- (a) **When you visit our Platform.** When you visit our Platform, we collect information sent to us by your computer, mobile phone, or other access device. This information may include your IP address, browser type, operating system, and other device characteristics or identifiers;
- (b) **When you register for our Services.** When you register for our Services, we collect information such as your name, email address, phone number, date of birth, residential address, and postal address. We may also collect additional information, such as your driver's license and passport number or other information, to verify your identity or address;
- (c) **When you use our Services.** When you use our Services, we collect information about your transactions and other activities on our website. This information may include the amount of money you send or receive, the date and time of the transaction, and the recipient's name and address. We may also collect information about your computer or other access device for fraud prevention purposes;
- (d) **To protect against fraud and misuse.** We may collect information about your use and interaction with our Platform to help protect against fraud and misuse of your Personal Information. For example, we may evaluate your computer, mobile phone, or other access device to identify any malicious software or activity that may affect the availability of our Services; and
- (e) **Other ways.** We may also collect additional information from or about you in other ways, such as interactions with our customer support team.

5 What are the purposes of the collection and processing of your Personal Information?

We may collect, hold, use, and disclose your Personal Information for the purposes of:

- (a) **Providing you with the services you have requested.** We use your Personal Information to provide you with the services you have requested, such as opening an account, making a transaction, or contacting customer support;
- (b) **Communicating with you about your account and transactions.** We use your Personal Information to communicate with you about your account and transactions, such as sending you account statements, confirmation emails, and fraud alerts;
- (c) **Toprotect our users and the Platform from fraud and other illegal activities.** We use your Personal Information to protect our users and the Platform from fraud and other illegal activities, such as screening for suspicious activity and enforcing our terms of service;
- (d) **Improving our service and the Platform.** We use your Personal Information to improve our service and the Platform, such as developing new features, fixing bugs, and measuring the effectiveness of our marketing campaigns;
- (e) **Delivering direct marketing, service update notices, and promotional offers based on your communication preferences.** We may use your Personal Information to deliver direct marketing, service update notices, and promotional offers to you. We will only do this where you have opted in to receive these communications; and
- (f) **Complying with applicable laws and regulations.** We may use your Personal Information to comply with applicable laws and regulations, including but not limited to those related to anti-money laundering and KYC.

6 How can we contact You?

If you registered to our service, we may contact you with periodic updates and promotional emails relating to the service and the products or Services we offer.

You may opt out of these at any time, but not from transactional emails, such as updates on payments, withdrawals, or digital assets purchase orders.

Moreover, if you showed interest in one of our products or Services, we may contact you in relation to such product or service either by email, phone, text or post.

7 Right to access, edit, update or delete

You can access, edit, update, or delete your account or Personal Information we have collected at any time by accessing settings or by contacting us via Australia@Kinesis.Money. We will respond to your request within a reasonable period of time, but no later than the time period required by all applicable laws.

8 Circumstances in which we may not be able to accommodate your request

- (a) Please note that notwithstanding the foregoing, there may be circumstances in which we are unable to accommodate a request to edit, update, access, or delete an account profile or Personal Information. This includes but is not limited to:
 - (i) any basis where such request can be denied under applicable law;

- (ii) where we need to retain the information to comply with federal, state, or local laws or for accounting or tax purposes;
 - (iii) where we need to comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities;
 - (iv) where we need to cooperate with law enforcement agencies concerning conduct or activity that the business, service provider, or third party reasonably and in good faith believes may violate federal, state or local laws;
 - (v) where we need to retain information to exercise or defend legal claims;
 - (vi) where the information contains legal privilege or proprietary information of another party; or
 - (vii) where complying with the request would compromise others' privacy or other legitimate rights.
- (b) If we determine that we cannot respond to any request in any particular instance, we will provide you with an explanation of why that determination has been made and a contact point for any further inquiries. To protect your privacy, we will take commercially reasonable steps to verify your identity before responding to any request under this provision, including complying with any applicable legal requirement for verifying your identity.
- (c) To the extent permitted by applicable laws, we reserve the right to charge you a reasonable fee for the handling and processing of your requests to access your Personal Information, where applicable. If we so choose to charge, we will provide you with a written estimate of the fee we will be charging. Please note that in many jurisdictions, we are not required to respond to or deal with your access request unless you have agreed to pay the fee.

9 Sharing Personal Information with Third Parties

- 9.1 Your personal information may be disclosed to third parties for purposes described in this Policy or described in any other specific and additional privacy provisions that apply to certain products and Services provided by the Platform. We may disclose your personal information to the following third parties (as distinct from the member of the Platform to whom you have provided your Personal Information):
- (a) Your financial adviser, margin lending facility provider, or other financial services provider providing Services to you, your custodian, or investment manager where applicable;
 - (b) Our partners for the purpose of assisting us in the KYC process and providing any further support needed to use our Services;
 - (c) Any third-party service providers carrying out functions for or on behalf of the Platform or any of its affiliates worldwide;
 - (d) Any person acting on your behalf, including your solicitor, accountant, executor, administrator, trustee or guardian;
 - (e) Government agencies, law enforcement or regulatory agencies and bodies or other third parties as required by, and in accordance with, applicable law and regulations;
 - (f) Any other third party with your consent or where authorised or required by law.

10 Location of your Personal Information

The Personal Information collected from you, as detailed in this Policy, may be transferred to and stored at servers that may be located in countries outside of Australia and in countries according to our third-party providers' standard contractual obligations.

It may also be processed by us and our suppliers, service providers or partners' staff operating outside Australia.

We are committed to protecting your Personal Information and will take reasonable steps to ensure that your Personal Information is processed and stored securely and in accordance with the Australian Privacy Principles, as detailed in this Policy. Such steps include putting in place data transfer agreements or ensuring our third-party service providers comply with our data transfer protection measures.

By submitting your Personal Information through the Platform, you acknowledge and agree, in a jurisdiction where such consent is required, to such transfer, storing and/or processing of Personal Information

11 Cookies

11.1 We use both first party and third-party cookies when you access our Platform. Cookies are small text files placed in your computer browsers to store your preferences. Our Platform, and our third-party partners, collect and store information that is generated automatically as you use it, including your preferences and anonymous usage statistics.

11.2 We collect information about your device and uses tracking mechanisms such as cookies to:

- (a) Facilitate customer use of our Platform;
- (b) Enable customisation of our online services and website features;
- (c) Avoid customer re-entry of data;
- (d) Store customer preferences for certain kinds of information;
- (e) Enhance security measures; and
- (f) Gather data about usage of our website and mobile applications for research and promotions.

11.3 We use cookies from third party service providers to facilitate website tracking and security measures and may share the information collected with third parties acting as our service providers, who are required to maintain the confidentiality of the information.

11.4 We use these cookies and other technologies on the basis that they are necessary for the performance of a contract with you, or because using them is in our legitimate interests (where we have considered that these are not overridden by your rights), and, in some cases, where required by law, where you have consented to their use.

12 Security

We take reasonable steps to preserve the security of the Personal Information we collect. Your Personal Information is held in an environment with reasonable security measures consisting of either physical measures, electronic measures or a combination of both.

We have implemented security procedures, controls, and protocols across all of our physical premises and electronic environments to minimise the risk of interference, loss, misuse, unauthorised access, modification, or disclosure of Personal Information.

However, due to inherent risks in transmission of information over the Internet or other methods of electronic storage, we cannot guarantee that unauthorised access or use will never occur.

We will comply with applicable law in the event of any breach of the security, confidentiality, or integrity of your Personal Information and will inform you of such breach if required by applicable law.

To the extent that we implement the required security measures under applicable law, we shall not be responsible or liable for unauthorised access, hacking, or other security intrusions or failure to store or the theft, deletion, corruption, destruction, damage, or loss of any data or information included in the Personal Information

13 Data Retention

We will retain the Personal Information for as long as we believe that it is accurate and can be relied upon. Personal Information that is no longer required for the purpose for which it was initially collected will be deleted unless we have a valid justification to retain it that is permitted under applicable law, such as to resolve disputes or comply with our legal obligations.

14 Data Breach Notification

We comply with Notifiable Data Breaches (**NDB**) in data breach notifications. If there is an actionable breach of your Personal Information, we will notify you within 72 hours.

15 Contact Us

If you have questions, concerns, or complaints regarding this Policy or the handling of your Personal Information, you may contact our data protection officer at Australia@Kinesis.Money.

Please include your name, contact information, and the nature of your concern/request so that we can appropriately respond to your communication.

16 Your right to lodge a Complaint

If you are located in Australia, where you have made a privacy related complaint, we will respond to your complaint by no later than 30 days after receipt, if you are not satisfied with our response to your complaint, or your concerns are not satisfactory resolved, you may contact the Australian Financial Complaints Authority (**AFCA**):

Australian Financial Complaints Authority
GPO Box 3, Melbourne VIC 3001
Tel: 1800 931 678
Email: info@afca.org.au
Website: www.afca.org.au

Should your dispute with the AFCA fail to reach a satisfactory outcome, you may wish to contact the Office of the Australian Information Commissioner on 1300 363 992 or by email at foi@oaic.gov.au.

17 Updates to this Policy

- (a) This Policy is current as of the Effective Date set out above. We may change our Policy from time to time, so please be sure to check periodically. We will post any changes to this Policy on the Platform.
- (b) To the extent required by all applicable laws, if we make any changes to this Policy that materially affect our practices, we will endeavour to provide you with notice in advance of such change. This notice may be provided through a push notification through the Platform (you should make sure your Platform settings allow for such push notification), email or other means. You are responsible for ensuring that your contact information is up-to-date so that we can effectively communicate with you.
- (c) If you have any questions or concerns about this Policy, please do not hesitate to contact us.

Last updated: 27 November 2024