

## 1. PURPOSE OF THIS NOTICE

1.1 **Sunrise Brokers LLP** ("**We**", "**Us**" or "**Our**") takes the privacy and security of Personal Information seriously. This Notice sets out important information about how we handle Personal Information in relation to you and/or Third Parties whether in the course of any website, application, product, service or business arrangement by us (collectively, "**Services**") or otherwise. A Service particularly via one of our websites, may have its own notice.

1.2 For the purpose of this Notice:

- (a) "**You**" and "**Your**" relates to individuals whose Personal Information we process during the course of our businesses and our relationships either with such individual or with Third Parties (as defined below); or through your use of our website(s). We may not have a direct relationship with you but with the Third Party for or with which you work or to which you provide services. However, where you are an individual, this Notice will apply to you (even if you are a customer or service provider and would otherwise fall under the definition of Third Parties). You are a 'data subject' (as defined in the GDPR).
- (b) "**Third Parties**" means entities which we engage with and are not part of us or our affiliates. Third Parties may include, but not be limited to, (i) our past, present and prospective corporate customers, clients and counterparties and those corporate entities which provide services to them; or (ii) entities which provide goods and services to us or our affiliates.
- (c) "**Personal Data**" or "**Personal Information**", means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).
- (d) "**Special Categories**" of Personal Information include: information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union memberships and genetic data or biometric data, health data or data containing sexual orientation.

1.3 We act as controller for the Personal Information we collect during the course of our dealings with you or Third Parties and may include Personal Information about your employees, agents, directors and contractors, and those of associated entities. This means that we determine the purposes for and the manner in which we (or our affiliates) process your Personal Information. If you or a Third Party provide us with any Personal Information about your employees, agents and those of associated entities or direct someone to give their Personal Information, you must show that person a copy of this Notice so that they understand the manner in which their Personal Information may be used or disclosed.

It is important that you check back often for updates to this Notice.

Please note:

- (a) save to the extent we have expressly agreed in writing by a signed agreement, we will not be a processor or sub-processor for you or any Third Party;
- (b) unless we have stated to the contrary in relation to a specific Service, we do not act as a joint controller with you and/or with any member or affiliate of our group whether in relation to any of the Services or otherwise;

- (c) we have a number of different affiliated entities and therefore if you have a relationship with a different entity in our groups then a different privacy notice may apply to their processing of your Personal Information;
- (d) where you are a prospective, actual or past member of Staff then it may more appropriate for you to look at our Staff Privacy Notice or Recruitment Privacy Notice (or such other notices as we may issue from time to time dealing with specific relationships which we have with you).

This Notice was last updated on 25 May 2018.

## 2. THE KIND OF INFORMATION WE HOLD ABOUT YOU

- 2.1 In the course of our businesses and our relationships and through your use of our websites, we may collect some or all of the following Personal Information from you or a Third Party (as applicable).
- 2.2 We will collect, store, and use some or all of the following categories of Personal Information about you or in certain limited circumstances your family members):
  - (a) **Personal details and identifiers**, such as name, title, addresses, telephone numbers, personal email addresses, date of birth, gender or passport number;
  - (b) **Professional details**, such as title, employment start date and end date; location of employment; authorisation status;
  - (c) **Identification documentation**, such as copies of your passport, driving licence, national or work ID card, or other documentation required by law (which may include photographs of your face and shoulders);
  - (d) **Recruitment information**, such as CVs, copies of right to work/visa documentation, references and other information provided as part of the application process;
  - (e) **Employment records**, such as employment contracts, consultancy agreements, job titles, work, regulatory and disciplinary history, working hours, training records and professional memberships;
  - (f) **Insurance matters**, such as accidents, claims or arranging cover, and compensation history;
  - (g) **Security information**, such as CCTV footage and other information obtained through electronic means such as swipe-card records;
  - (h) **IT information**, such as emails and browser history and voice communications to the extent that it is retained on any of our computers, laptops or systems; relating to your access of our websites and applications, including but not limited to traffic data, location data and other communication data (such as IP addresses) and the resources that are accessed;
  - (i) **Trade information**, such as trades executed and authorised in your name where you trade on behalf of a Third Party or on your own behalf;
  - (j) **Relationship and account management information**, which may include preferences for types of products or services, marketing events or materials in the context of their employment with you;
  - (k) **Legal and Regulatory information**, which may include information relating to opening and maintaining a business relationship with you or those who you work for

and discharge of our regulatory and legal obligations particularly where we are a regulated entity;

- (l) **Other information**, relating to your activities, interests or private life which you or a Third Party provides to us including where they are part of messages or conversations sent through our systems or networks.

2.3 We may also collect, store and use the following Special Categories of more sensitive Personal Information:

- (a) **Information about your nationality or ethnicity** which may include where we are required to collate this by relevant governmental authorities or in order to comply with our legal and regulatory obligations relating to AML and KYC.
- (b) **Information about any disability or other health factor(s)** that you have, information on your health, including any medical condition, to enable us to make adjustments to the way in which we provide our Services.
- (c) **Information about criminal convictions and offences** where required by applicable law or regulation, to comply with our internal compliance requirements or where permitted by applicable law.
- (d) **Information about your trade union membership, politics or other Special Categories of Personal Data** we do not actively search for this information but where it forms part of searches we have undertaken to discharge our regulatory obligations it may be retained.
- (e) **Information about any disability or other health factor(s)** that are applicable to you where you interact with us and which would include where you are a visitor to our premises or guest to an event that we are arranging and have special requirements whether access, dietary or otherwise.

2.4 Except where we have referred to it in this section 2, it is unlikely that we will process Special Categories of Personal Information about you, for example, information relating to race, ethnic origin, politics, religion, trade union membership, genetics, biometrics, health, sex life or sexual orientation. If we collect or otherwise process any of the foregoing information we will obtain your express consent to do so.

### 3. **HOW YOUR PERSONAL INFORMATION IS COLLECTED**

3.1 We collect Personal Information about you from the information submitted by you or a relevant Third Party when we consider and process your (including a Third Party's) request for, provide, manage or administer a product or services and any additional information provided by you or others during the course of us providing or you receiving our Services, we may also collect Personal Information about you from Third Parties including:

- (a) credit reference providers, registries, Companies House or other organisations that help us and others to reduce the incidence of fraud or in the course of carrying out identity, fraud prevention or credit control checks;
- (b) government, quasi government departments and regulators;
- (c) Third Party vendors who provide information on individuals;
- (d) while monitoring our technology tools and services, including our websites and voice and electronic communications sent to and from Us or;
- (e) any website or electronic services that we provide or make available to you.

#### 4. **HOW WE WILL USE INFORMATION ABOUT YOU**

- 4.1 We collect, use, disclose, transfer and store Personal Information when needed to provide our services and for our operational and business purposes as described in this Notice. We want to be clear about our privacy practices so you can make informed choices about the use of your information.
- 4.2 We will usually only process your Personal Information where:
- (a) it is necessary for us to comply with our legal or regulatory obligations including:
    - (i) to carry out money laundering, financial and credit checks and for fraud and crime prevention and detection purposes;
    - (ii) to comply with our legal and regulatory obligations and requests anywhere in the world including reporting to and/or being audited by national and international regulatory bodies; and
    - (iii) to comply with court orders and exercise and/or defend our legal rights, as otherwise permitted or required by any applicable law or regulation; or
  - (b) it is necessary for us to perform our contractual obligations under the agreement or business arrangement we have entered into with you (or a Third Party) or in order to take steps at your or the Third Party's request prior to entering into such an agreement or arrangement;
  - (c) 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 including:
    - (i) for monitoring and assessing compliance with our policies and standards;
    - (ii) for promotional and marketing activities (unless you have requested that we should not use your Personal Information for marketing);
    - (iii) to identify persons as authorised to give instructions on behalf of our clients or other relevant Third Parties; and;
    - (iv) for administrative purposes in relation to the security and access of our systems, offices, platforms and websites.

Some of the above grounds for processing will overlap and there may be several grounds which justify use of your Personal Information.

#### **Change of purpose**

- 4.3 We will use your Personal Information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your Personal Information for an unrelated purpose, we will provide notice thereof and we will explain the legal basis for which we do so, which may include by updating this Notice.
- 4.4 Please note that we may process your Personal Information for additional purposes without your consent, in compliance with the above provisions, where this is required or permitted by law.

#### 5. **WHO WE SHARE YOUR PERSONAL INFORMATION WITH**

We will share your Personal Information with Third Parties and our affiliates where required by law or regulation, where it is necessary to administer the working relationship with you,

where we have another legitimate interest in doing so or if you expressly request that we correspond with such Third Parties or affiliates.

## 6. **WE MAY SHARE YOUR DATA WITH THIRD PARTIES AND AFFILIATES:**

- (a) **Third Parties and affiliates that provide services to us** including information management services, compliance and regulatory reporting, markets, venues and exchanges where necessary to provide the services to you or relevant Third Parties; or credit reference agencies or other organisations that help us and others reduce the incidence of fraud or in the course of carrying out identity, fraud prevention or credit control checks;
- (b) **Third Parties and affiliates which act on your or the Third Party's behalf** such as agents or clearers or those who we are requested to correspond with before, during our provision of services or thereafter;
- (c) **Third Parties and affiliates for legal reasons such as**, to comply with legal obligations and respond to requests from government agencies, including law enforcement and other public authorities, which may include such authorities outside your country of residence, in the event of a merger, sale, restructure, acquisition, joint venture, assignment, transfer or other disposition of all or any portion of our or an affiliates' or a Third Party's business, assets or stock (including in connection with any bankruptcy or similar proceedings) or to protect our, our Affiliates' or any Third Party's rights, users, systems and services.

6.2 Our businesses are supported by a variety of teams and functions. We may make Personal Information available to them if necessary for the provision of services, account administration, sales and marketing, customer and technical support. Our members of staff are required to follow our data privacy and security policies when handling Personal Information.

6.3 In some cases, your Personal Information may be transferred to countries outside of the European Economic Area where such affiliates or Third Parties reside, perform their services or maintain any technical connection necessary for the provision of such services or relevant relationship. In those cases, except where the relevant country has been determined to ensure an adequate level of data protection by the European Commission, we will ensure that such transfers Personal Information have appropriate safeguards in place to protect the Personal Information in accordance with the requirements under applicable data protection laws.

## 7. **WHERE WE TRANSFER YOUR PERSONAL INFORMATION PURSUANT TO YOUR REQUEST**

You have certain rights relating to your Personal Information that are referred to below and one of them is your right to request that we transfer your Personal Information to a Third Party in certain circumstances. If we make such a transfer, we will not be responsible for that Third Party's use and onward disclosure of your Personal Information nor will we provide any details to you as to that Third Party's use or security measures. You will therefore need to contact the Third Party for such details.

## 8. **HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT**

8.1 Our retention periods for Personal Information are based on business needs and legal, regulatory and technical requirements. We will retain Personal Information for as long as necessary for the purpose for which it has been collected and is processed for or as required under applicable regulation and law.

8.2 There are a number of entities through which we provide services. Our EU businesses are supported by IT systems located in the UK, US and France. Depending on the location where services are provided, another undertaking or entity in one of our groups may also be the data controller in relation to your Personal Information.

## 9. **YOUR DUTY TO INFORM US OF CHANGES**

It is important that the Personal Information we hold about you is accurate and current. Please keep us informed if your Personal Information changes during your relationship with us.

## 10. **YOUR RIGHTS**

10.1 Under certain circumstances, you have the right to:

- (a) **Access to Personal Information.** If you request access to your Personal Information, we will comply, subject to any relevant legal requirements and exemptions, including identity verification procedures. Before providing data to you, we will ask for proof of identity and sufficient information about your interaction with us so that we can locate any relevant data. We may also charge you a fee for providing you with a copy of your data (except where this is not permissible under local law).
- (b) **Correction and deletion.** You have the right to correct or amend your Personal Information if it is inaccurate or requires updating. You may also have the right to request deletion of your Personal Information; however, this is not always possible due to legal requirements and other obligations and factors.
- (c) **Object to processing.** You have the right to object to the processing of your Personal Information where we are relying on a legitimate interest (or those of a Third Party) and there is something about your particular situation which makes you want to object to processing on this ground.
- (d) **Request the restriction of processing.** You have the right to request the restriction of processing of your Personal Information. This enables you to ask us to suspend the processing of Personal Information about you, for example if you want us to establish its accuracy or the reason for processing it
- (e) **Request the transfer,** of your Personal Information to another party in certain situations. This applies to Personal Information on which we have carried out automated processing.
- (f) **Filing a complaint.** If you are not satisfied with how we manage your Personal Data, you have the right to make a complaint to a data protection regulator such as in the UK, the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/>

## 11. **IF YOU WOULD LIKE TO EXERCISE ANY OF THE RIGHTS SET OUT ABOVE IN CLAUSES 10(A) TO (E):**

- (a) email our Data Privacy Manager at [DPM@sunrisebrokers.com](mailto:DPM@sunrisebrokers.com);
- (b) provide us with enough information to identify you e.g. the entity and desk(s) you trade with or receive services from or provide them to or have a relationship with;
- (c) where relevant, provide us with proof of your identity and address (a certified copy of your driving licence or passport and a recent utility or credit card bill or a certified copy of your authority); and

- (d) provide us with the information to which your request relates, including any account or reference numbers, if you have them.

Where appropriate, we will respond to your requests relating to your Personal Information in writing or by email. If you require our response in a different format, please let us know. Please note that upon receipt of such a request, we may come back to you requesting clarification or further information where we require this to consider and/or act upon your request.

## 12. **MARKETING**

**Marketing preferences.** You may notify us if you no longer wish to receive marketing materials in the manner we designate in any relevant communication or by emailing us at [DPM@sunrisebrokers.com](mailto:DPM@sunrisebrokers.com) or your usual relationship contact (if applicable) stating which material you would like to unsubscribe from. We shall endeavour to do so promptly, however it may take a number of days to action.

## 13. **KEEPING YOUR PERSONAL INFORMATION SECURE**

13.1 We use current industry standard technology to maintain the confidentiality and accuracy of Personal Information which we store. As no data transmission over the internet can be entirely secure, we cannot guarantee that any information submitted electronically to us will be free from unauthorised Third Party use or intrusion. You or any Third Party should therefore be satisfied that the information technology/equipment used to access or send information to our websites and electronic services is protected against such viruses and/or codes. We have security measures in place in respect of our systems and physical facilities to protect against loss, misuse or unauthorised alteration of the information stored on our premises.

13.2 We also have procedures in place to deal with any suspected data security breach. We will provide notifications to the Third Party and/or you (depending who we have the relationship with) and any applicable regulator of a suspected data security breach where we are legally required to do so.

## 14. **CHILDREN**

We provide services and products to professionals and our Services are not aimed at children. We do not knowingly collect Personal Information from individuals under the age of 18 during the course of providing our services. In the event that we learn that we have collected such information in such circumstances from any individual under the age of 18, the information will be deleted as soon as reasonably possible.

## 15. **CHANGES TO THIS PRIVACY NOTICE**

We may change this Notice from time to time. You should check this Notice to ensure you are aware of the most recent version.

## 16. **HOW TO CONTACT US**

Please contact us if you have any questions about this Privacy Notice or the information we hold about you or how we process your Personal Information at [DPM@sunrisebrokers.com](mailto:DPM@sunrisebrokers.com).