



PRIVACY NOTICE STATEMENT

STATEMENT

This Statement explains how personal data relating to you will be handled by Blackmoon Platform (“Blackmoon”, “we” or “us”) and sets out how and why your personal data will be collected and processed by Blackmoon and/or on its behalf by its third-party service providers.

This Statement is effective from the 25th of May, 2018 and remains effective until a more recent version is released. Blackmoon reserves the right to amend or supplement this Document at any time, as explained below in this Statement.

“Blackmoon Platform” means BMC Platform SP, a segregated portfolio of BMC Group SPC Ltd, responsible for the complex of front-and back-end systems and the provision of a technological solution for registered users to view information on the products of Blackmoon. For the purpose of this Statement, Blackmoon Platform (hereinafter “Blackmoon”) is the controller of your personal data.

APPLICATION OF THIS STATEMENT

This Statement applies to the way we collect and process your personal data. Personal data will be collected and processed by Blackmoon when you avail of our services, whether through blackmoonplatform.com or blackmoonfg.com (our “Websites”) or otherwise.

We will collect, use, disclose, transfer and store personal data when needed to provide our services and for our operational and business purposes as described in this Statement.

DEFINITIONS

For the purposes of this Privacy Notice, the following definitions as provided by the General Data Protection Regulation (GDPR) shall apply:

Data controller – the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

Personal data – any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Data subject – any living individual who is the subject of personal data held by an organisation.

Processing – any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

DATA CONTROLLER

In line with the definition above, Blackmoon shall be considered data controller under GDPR.

DATA PROTECTION OFFICER

1. DESCRIPTION

The Data Protection Officer (DPO) has been designated by Blackmoon's Board of Directors for the management of personal data within Blackmoon and for ensuring the compliance with data protection legislation under the DPA, EU GDPR and any other data protection legislation and good practice can be demonstrated.

2. RESPONSIBILITIES

- a. The Data Protection Officer (DPO) is responsible for ensuring that this notice is made available to data subjects prior to Blackmoon collecting/processing their personal data.
- b. DPO is responsible for the development, maintenance, and implementation of Blackmoon's data protection policy, as well training of the Employees.
- c. DPO is also the main point of contact for data subjects and Employees with respect to subject access requests, including data rectification and erasure. DPO is also responsible for the handling of complaints as related to personal data.
- d. All employees of Blackmoon who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and their consent to the processing of their data is secured.

PERSONAL DATA WE PROCESS

- a. **Device information**

When using our Website(s) we collect information about your computer/device browser including your IP address accessed pages within the internet presence, date and time of the visit, cookies, used browser, operating system of the accessing computer, language setting and transferred data volume. Please see our [\[link to COOKIE POLICY\]](#) for further information. The processing of the device information is done mainly in order to establish the connection, to ensure system security and for reasons of technical administration.

Such information is transmitted automatically by your internet browser is exclusively stored and analysed statistically in an anonymous form, in order to continuously improve this internet presence, to adjust it to the users' interests and to speed up the detection and/or elimination or bugs.

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- b. **Transactions**

Information about the anticipated and actual volume and value of your transactions with us, payment methods information provided in order to enable the construction of your economic profile.

- c. **Personal Information**

As part of the registration with Blackmoon we collect personal information which may include, amongst others, your name, date of birth, residential address, email address, telephone number, occupation, financial information and statements including details about your income and assets, copies of government issued identification including your passport or Identification Card (which contain a photo of you) or similar identifying information. Such information is requested to be disclosed in order to enable us to evaluate your application and comply with relevant rules and

regulations. When an application is submitted, we are required by law to verify the client’s identity as well as the rest of the information provided and conduct appropriate research against any possible fraud/money laundering/crime issues and risks.

d. **Other Information**

We may also process any personal data which you choose to provide us. In addition, we may receive information about you, including but not limited any negative media or publication about you, your affiliation with certain companies or activities, involvement in illegal activities or inclusion in sanctions lists from our trusted third-party service providers. Such information is necessary for us to comply with our obligations under the laws on prevention of money laundering and prevention of terrorism financing.

HOW AND WHY WE PROCESS YOUR PERSONAL DATA

The following table shows our legal basis for processing of the personal data and the purposes of collection and processing as well as any legitimate interests pursued by us:

LEGAL BASIS	PURPOSE(S)
<p>CONTRACT</p> <p>It is necessary to process your personal data to enter into and perform our <i>terms of use</i> (the “Agreement”) with you for the provision of our services</p>	<p>We obtain, collect and process your personal data:</p> <ul style="list-style-type: none"> ● To set up an account with us, provide technical and customer support and training, process payment information. This information is required for the purposes of Blackmoon performing its obligations under the terms of the Agreement and for the purposes of complying with the laws and regulations applicable to us. ● To verify your identity, age and accuracy of your registration details ● for marketing purposes (with the right to opt out) ● for marketing research to improve our services ● to enable us to fulfill our contractual obligations owed to you (establish bank accounts for the purposes of safeguarding clients’ funds; suitability assessment to allow purchasing of financial interests etc)

<p>LEGITIMATE INTERESTS</p> <p>We process certain personal data on the basis of our legitimate interests, such as pursuit of our business or security interests. Where we process your personal data in pursuit of our legitimate interests we determine if such processing is necessary and we carefully consider the impact of our processing activities on your fundamental rights and freedoms. We will not process your personal data where our legitimate interests are outweighed by the impact on your rights and freedoms (unless otherwise required or permitted by law).</p> <p>You are entitled to object to us processing your personal data on the basis of our legitimate interests. For more on this and other rights please see section on "Your Right under the GDPR"</p>	<p>We obtain, collect and process your personal data in order to:</p> <ul style="list-style-type: none"> ● Provide you with access to our Website(s) and to enable you to use them; ● Provide you with information about our products and services; ● Respond to your enquiries;
<p>Compliance with legal and regulatory obligation</p>	<p>We may be required to collect, use and/or retain personal data for legal and compliance reasons such as compliance with Anti-Money Laundering obligations under the European legislation framework.</p>

DISCLOSURE OF PERSONAL DATA

To verify your account and identity we may disclose such information to third parties such as financial institutions, third party reference agencies and data verification service providers to comply with our legal obligations.

We will also disclose your personal information to other third parties including:

- regulatory authorities and law enforcement agencies;
- non-affiliated third parties for payments processing, payments, sales, data analysis, research and surveys; and/or

- professional advisors such as tax or legal advisors, consultants and accountants.

TRANSFERS OF YOUR OF PERSONAL DATA

In servicing your account, we may transfer your information to our third- party agents or service providers (including those who are involved in the operation, service, administration or management of Blackmoon) in countries in or outside the EEA (European Economic Area). We use our best efforts to ensure that those third-party agents and service providers provide the same level of protection the Privacy Policy requires and limit their use of the data to the specified services provided on our behalf. We may, however, use providers from third countries where the level of personal data protection is lower than that of the EEA. We take reasonable and appropriate steps to ensure that third-party agents and service providers process your personal data in accordance with our Privacy Policy obligations and to stop and remediate any unauthorized processing.

If you would like to find out more about the appropriate safeguards that we have in place to govern the transfer of your personal data, you can contact us at dpo@blackmoonplatform.com

By using our services and agreeing to this Privacy Notice, you confirm that you agree with the transfer and processing of your data to third parties, including those outside the EEA. You may withdraw your consent at any time by completing the Withdrawal of Consent Form.

YOUR RIGHTS UNDER THE GDPR

At any point while we are in possession or of processing your personal data, you the data subject, have the following rights:

- a. The right of access- you have the right to request a copy of the information that we hold about you.
- b. The right of rectification- you have a right to correct data that we hold about you that is inaccurate or incomplete.
- c. The right to be forgotten- in certain circumstances you can ask for the data we hold about you to be erased from our records where there is no compelling reason to continue processing. This right only applies in certain circumstance and it is not guaranteed or absolute as we are obliged to retain your data in accordance with clause 9 below.
- d. The right to restriction of processing of your personal.

- e. The right of data portability. You have the right to have the data we hold about you transferred to another service or organisation.
- f. The right to object to automated processing, including profiling- you also have the right to be subject to the legal effects of automated processing or profiling.
- g. The right to object to us using your personal data for a particular purpose or purposes.

You may contact Blackmoon's Data Protection Officer at any time at dpo@blackmoonplatform.com to exercise your rights as a data subject.

CONSENT

By consenting to this privacy notice you are giving us permission to process your personal data specifically for the purposes identified. Your continued use of service indicates ongoing consent to the Privacy Policy.

Consent is required for Blackmoon to process both types of personal data, but it must be explicitly given. Where we are asking you for sensitive personal data we will always tell you why and how the information will be used.

You may withdraw your consent at any time by completing the Withdrawal of Consent Form and sending it to the Data Protection Officer to dpo@blackmoonplatform.com.

RETENTION OF YOUR PERSONAL DATA

Blackmoon will process the information you provide in a manner compatible with the EU's GDPR. We will endeavor to keep your information accurate and up to date, and not keep it for longer than necessary. Generally, we shall retain your personal data for a period of five (5) years in order for us to comply with our anti-money laundering obligations under the European regulatory framework.

COMPLAINTS

In the event that you wish to make a complaint about your personal data is being processed by Blackmoon (or third parties) or how your complaint has been handled, you have the right to lodge a

complaint directly with the supervisory authority and Blackmoon's data protection representatives; the Data Protection Officer.

The Contact details of the DPO are provided below: dpo@blackmoonplatform.com
Should you feel that the complaint is not resolved to your satisfaction, you can direct your complaint to the Data protection Authority in your jurisdiction.

CHANGES TO OUR PRIVACY NOTICE STATEMENT

We may occasionally update this Statement to reflect changes in our business or to comply with applicable law and regulations. If there are material changes to this Statement concerning how we use your personal data, we will notify you by prominently posting a statement of such changes on the relevant Website before they take effect.

CONTACT

If you have any concerns about the way your personal data are being used or processed by Blackmoon, please contact us at dpo@blackmoonplatform.com.

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