

## Metex Privacy Policy

### Intent

The purpose of this Privacy Policy is to inform METEX users as to the information we collect, what we do with this information and how your information is protected. This Privacy Policy will outline our information administration practices in relation to the information we acquire on METEX and affiliated services.

### Scope

This agreement is between you and Metex Corp Pty. Ltd. (Metex). It applies to all users of Metex Services.

### Policy

#### 1. Privacy Policy Consent

- 1.1. By using METEX and its affiliated services, you consent to the Privacy Policy and its information administration practices. METEX may provide additional disclosures in relation to the privacy policy. These documents will apply supplementary to METEX's Privacy Policy. These disclosures may expand on information administration practices or provide further clarification for specific practices.
- 1.2. If you disagree with or are not comfortable with any aspect of METEX's privacy Policy, you should immediately cease the use of METEX's services.

#### 2. Changes to The Privacy Policy

- 2.1. METEX reserves the right to alter and/or modify this privacy policy at any time. If privacy Policy Amendments are made we will notify you by email.

#### 3. Who Does Metex's Privacy Policy Apply To?

- 3.1. The METEX privacy policy applies to users of the METEX services, including individuals, merchants and legal entities.
- 3.2. METEX users are those who use and/or purchase METEX or affiliate services.
- 3.3. METEX services include, but are not limited to the following:
  - Financial Services offered by METEX and affiliates;
  - Storage Services offered by METEX and affiliates;
  - Digital Asset/Currency Services offered by METEX and affiliates.

#### 4. What Personal Information Do We Collect?

- 4.1. METEX only collects information that is vital to the provision of our services. Personal information collected by METEX will be used for compliance purposes with international Know Your Customer, Anti-Money and Counter Terrorist Financing Regulations. Any information provided to METEX or affiliated services is voluntary, however this may your use impede of our services.

**4.2.** The information that we collect includes, but are not limited to:

- (a) **Financial Information** Transaction history, trading data, Payment card numbers, bank account information.
- (b) **Identification Information** Full name, Date of Birth, age, nationality, gender, signature, phone number, home address, email, utility bills, Passport Number, Driver's license details, national identity card details, photograph identification cards and taxation ID numbers.
- (c) **Employment Information** Job Title, Office Location, description of role.
- (d) **Personal Usage Information** Operating system being used, browser being used, IP address, Geographical Location details, survey responses, security questions, information provided to our customer care team, public social network posts, data collected via cookies.

## **5. Why Do We Collect This Information?**

### **5.1. To Create a Better Experience for Our Users.**

The collection of data will allow us update and create new services that will better meet our User's needs. At METEX we endeavour to create a more personalised experience for our users. For example, your financial information may be used to allow Users to generate and view financial statements.

### **5.2. To Protect Our Users.**

The collection of transaction information will allow us to identify any suspicious activity that may lead to fraud or loss of funds. This may include enhancing security, combating spam and malware devices and identifying and combating botting programs. As the crypto space is ever changing, we need to combat new risks affiliated with that. Devoid of your personal information, it will be difficult for us to ensure the security of our service.

### **5.3. To Comply with Regulatory Requirements.**

The services offered by METEX are subject to international regulations which require us to collect your personal information. Information collected will be used to maintain compliance with International Know Your Customer, Anti Money Laundering and Counter Terrorist Financing Regulations as well as any other regulations that are legislated in the future. Some of the information that is required to be collected, pursuant to these regulations include Personal identification information, Personal Usage Information, Financial Information and employment information.

### **5.4. To Enforce our Terms in Our User Agreement**

It is important for METEX to regulate its services and its customers in relation to preventing and mitigating any potentially prohibited activities, enforcing our agreements with third parties, and violations of our user agreement. For these purposes it is essential for METEX to collect user data.

If METEX is unable to process User information for these reasons, the consequence is the termination of your account as we cannot perform our services in accordance to our terms.

### **5.5. Maintain your Registration as a User**

This will allow you to safely and securely access your account whenever and wherever you are.

## **5.6. Ensure Quality Control**

We store user information for quality control and staff training, to ensure we provide users with accurate information.

## **5.7. Marketing Activities**

We may send you marketing or promotional offers to inform you of METEX or affiliates' events, to deliver targeted marketing; and to provide you with promotional offers based on your communication preferences. We use information relating to your usage of METEX and contact information to provide a better marketing experience.

## **6. Who Will We Share Your Information With?**

**6.1.** Information that METEX collects will be shared with:

- Affiliated Metex Services
- Legal Advisors
- Regulatory Bodies that require information

## **7. How Is Your Information Protected?**

**7.1.** METEX considers are User privacy to be of great importance. That is why we have implemented multiple security measures to ensure that User data is secure, free from unauthorised access, alteration, disclosure and destruction.

## **8. Obtaining Information Through Third Party Sources**

**8.1.** METEX will occasionally obtain information about you through third party. Information will only be obtained as required permitted by applicable law. Examples of this include public databases, credit bureaus, resellers and channel partners and social media platforms.

## **9. Automatically Collected Data**

**9.1.** METEX receives and stores certain types of data whenever you interact with METEX services. Data collected automatically includes any category listed under personal usage information.

## **10. Why We Share Personal Information with Other Parties**

- 10.1.** METEX will never sell or rent your personal information. We will only share your information in the following circumstances
- 10.2.** We share your information with third party identity verification services in compliance with regulatory requirements. METEX shares this information to confirm your identity with relevant public records to prevent fraud. These third party services may also store your information, however will only use this information for purposes of identity verification.
- 10.3.** METEX may share your information with affiliated services providers. These affiliated services providers may include, debt collection service agents, marketing firms and technology services. All affiliated service providers are contracted to solely use this information for purposes that affiliate with METEX.
- 10.4.** We will share your information with financial institutions which METEX has partnered with to process payments.
- 10.5.** We may share your information with companies or entities that we purchase or merge with. The new company or entity will uphold this Privacy Policy.

- 10.6.** We May share your information with law enforcement officials or other entities when required to do so under applicable law.
- 10.7.** We may share your information with law enforcement, officials, or other third parties when we are compelled to do so by a subpoena, court order, or similar legal procedure, or when we believe in good faith that the disclosure of personal information is necessary to prevent physical harm or financial loss, to report suspected illegal activity or to investigate violations of our User Agreement or any other applicable policies.

## **11. How We Protect and Store Personal Information**

- 11.1.** METEX may hold sensitive information, including your encrypted bank account and routing numbers in our facilities or service providers located worldwide. We protect your personal information by maintaining physical, electronic, and procedural safeguards in compliance with the applicable laws and regulations.
- 11.2.** METEX cannot guarantee that loss, misuse, unauthorised acquisition, or alteration of your data will not occur. Please note that the user plays a critical role in ensuring their own personal information or access details are not disclosed to anyone else.
- 11.3.** Furthermore, we cannot ensure or warrant the security or confidentiality of information you transmit to us or receive from us by Internet or wireless connection, including email, phone, or SMS, since we have no way of protecting that information once it leaves and until it reaches us. If you have reason to believe that your data is no longer secure, please contact us at the email address, mailing address or telephone number listed at the end of this Privacy Policy.

## **12. Personal Information Rights**

- 12.1.** With METEX you have a right to access, correct, object and delete personal information
- 12.2.** You have a right of access to the personal information that we hold about you under European data protection legislation, and to some related information. You can also require any inaccurate personal information to be corrected or deleted.
- 12.3.** You can object to our use of your personal information at any time and you may have the right to object to our processing of some or all of your personal information (and require them to be deleted) in some other circumstances.
- 12.4.** If you wish to exercise any of these rights, please contact us as set out below.

## **13. How You Can Access or Change Personal Information**

- 13.1.** You are entitled to review, correct, or amend your personal information, or to delete that information where it is inaccurate. You may do this by contacting us at [support@metals.exchange](mailto:support@metals.exchange) or [support@msc.exchange](mailto:support@msc.exchange)
- 13.2.** If your METEX account is closed or terminated, we will still keep your account information in our database for at least seven years for regulatory purposes. This also ensures that those who are attempting to avoid fraud cannot achieve this by simply closing or terminating their account. When your account is closed or terminated your information will not be used by METEX for any further purposes, including being sold or shared to third parties.

#### **14. General Data Protection Regulations**

- 14.1.** The General Data Protection Regulations (GDPR) apply to organisations who process data in the EU as well as organisations that offer goods or services to or monitors the behaviour of the people inside the EU. The GDPR applies to all information that can directly or indirectly reference an individual.
- 14.2.** METEX has prepared itself for the General Data Protection Regulations by providing information as to when METEX data is deleted, have provided a transparent overview of METEX's use of the personal information it has collected, detailed how you can exercise your privacy rights.

#### **15. European Union Residents have the following rights:**

- 15.1.** You will have the **right to withdraw your consent** to process your personal information.
- 15.2.** You have a right to request METEX provide you with a **copy of your personal information** held by us. This information will be provided without undue delay subject to some fee associated with gathering of the information (as permitted by law), unless such provision adversely affects the rights and freedoms of others.
- 15.3.** You have the right to request METEX **update any of your personal information** that you believe incorrect or inaccurate.

#### **15.4. Right to erasure.**

You have the right to request erasure of your personal information that:

- (a) is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- (b) was collected in relation to processing that you previously consented, but later withdraw such consent; or
- (c) was collected in relation to processing activities to which you object, and there are no overriding legitimate grounds for our processing.

#### **15.5. Right to data portability.**

If we process your personal information based on a contract with you or based on your consent, or the processing is carried out by automated means, you may request to receive your personal information in a structured, commonly used and machine-readable format, and to have us transfer your personal information directly to another "controller", where technically feasible, unless exercise of this right adversely affects the rights and freedoms of others.

A "controller" is a 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 your personal information.

#### **15.6. Right to restriction of or processing.**

You have the right to restrict or object to us processing your personal information where one of the following applies:

- (a) You contest the accuracy of your personal information that we processed. In such instances, we will restrict processing during the period necessary for us to verify the accuracy of your personal information.
- (b) The processing is unlawful, and you oppose the erasure of your personal information and request the restriction of its use instead.
- (c) We no longer need your personal information for the purposes of the processing, but it is required by you to establish, exercise or defence of legal claims.
- (d) You have objected to processing, pending the verification whether the legitimate grounds of processing the information overrides your rights.

**15.7. Restricted personal information** shall only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest. We will inform you if the restriction is lifted.

**15.8. Notification of erasure, rectification and restriction.** METEX will communicate any rectification or erasure of your personal information or restriction of processing to each recipient to whom your personal information has been disclosed, unless this proves impossible or involves disproportionate effort. We will inform you about those recipients if you request this information.

**15.9. Right to object to processing.** Where the processing of your personal information is based on consent, contract or legitimate interests you may restrict or object, at any time, to the processing of your personal information as permitted by applicable law. We can continue to process your personal information if it is necessary for the defence of legal claims, or for any other exceptions permitted by applicable law.

#### **15.10. Automated individual decision-making and profiling.**

You have the right not to be subject to a decision based solely on automated processing of your personal information, including profiling, which produces legal or similarly significant effects on you, save for the exceptions applicable under relevant data protection laws.

**15.11.** If you believe METEX has infringed your rights, we kindly request that you contact prior to lodging a complaint with the relevant authorities so that we may attempt to resolve the dispute. Please contact us at [support@metals.exchange](mailto:support@metals.exchange) or [support@msc.exchange](mailto:support@msc.exchange)

## **16. Contact Us**

If you have any enquires regarding our procedures surrounding personal information, you can contact us at:

**Metex Corp Pty. Ltd.**

**Melbourne Office:** 72 Faraday Street, Carlton Vic 3053 Ph: 03 9340 3270

**Contact:** webpage contact details at [metex.trade](http://metex.trade)

**Email:** [admin@metex.io](mailto:admin@metex.io) or [support@metals.exchange](mailto:support@metals.exchange) or [support@msc.exchange](mailto:support@msc.exchange)

## Related policy instruments

- Cookies Acceptance Policy
- Pricing and Fees Policy

## Related Acts and Principles

- Privacy Act 1988 (Privacy Act)
- Australian Privacy Principles (APPs)
- General Data Protection Regulation (GDPR) (EU) 2016/679
- General Data Protection Regulation - Recitals

## Administration

NOTE: Printed copies of this policy are uncontrolled, and currency can only be assured at the time of printing.

### Approval Details

Policy Sponsor	Compliance Officer
Approval Authority	CEO
Date for next Major Review (in accordance with the Policy Handbook)	12 November 2021

### Revision History

Version	Approval date	Implementation date	Details	Author
DRAFT	09/11/2018	12/11/2018	Draft Policy established	Agile Legal, Compliance Officer
1.0	12/11/2018	15/11/2018	Policy Approved	Brett Wilkins-Byrd Compliance Officer

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