

# PRIVACY POLICY

(APRIL 1st, 2021)



# 1. INTRODUCTION

- 1.1 This Privacy Policy explains how MTS S.p.A., having its registered office in Via Tomacelli 146, Rome ("MTS" or "**we**", "**us**" or "**our**"), acting in its capacity of data controller and that may be contacted at the following email address **info@mtsmarkets.com**, collects information from you when you:
  - 1.1.1 use our products or services;
  - 1.1.2 download documents from the Website (as defined below) and/or in connection with the Services offered by MTS or subscribe for alerts or newsletters from MTS;
  - 1.1.3 apply for the participation on the markets managed by MTS; or
  - 1.1.4 visit or register to use **http://www.mtsmarkets.com** (the "**Website**")

As outlined below, the modalities of processing of your Personal Data (as defined below) will change depending on the applicable purpose of processing above.
- 1.2 The Website uses cookies and other tracking technologies to improve and tailor your browsing experience. Please visit our Cookies Policy for more information (**http://www.mtsmarkets.com/mts-home/privacy-and-cookies-policy**).
- 1.3 Please read this Privacy Policy carefully and re-visit this page from time to time to review any changes that may have been made.
- 1.4 Your data controller will be MTS that will process any Personal Information (as defined below) we collect about you in accordance with applicable data protection laws.
- 1.5 In the event of any conflict between this Privacy Policy and the terms of a contract you have with us, the relevant provision of that contract shall prevail. Nothing in this Privacy Policy shall apply to the extent that it is incompatible with applicable data protection laws.
- 1.6 Effective Date: 10 May 2018, amended on 1 April, 2021

# 2. WHAT PERSONAL INFORMATION DO WE COLLECT

- 2.1 "**Personal Information**" refers to information which does or is capable of identifying you as an individual. MTS will process the Personal Information provided by you in connection with the products, services, activities and Website of paragraph 1.1 above, including the following data:
  - 2.1.1 your name;
  - 2.1.2 email address;

- 2.1.3 other personal contact details (including telephone number and postal address);
  - 2.1.4 job title;
  - 2.1.5 employer;
  - 2.1.6 corporate contact details (including business "direct dial" or office address);
  - 2.1.7 date of birth (for instance, where you hold a regulated position in respect of a listed company);
  - 2.1.8 financial information (where necessary to conclude services contracts with you);
  - 2.1.9 your photograph;
  - 2.1.10 career history, professional background and other CV related information (for example, where you provide this to us in connection with an application to be a qualified advisor);
- 2.2 Your use of the Website and related online services involves the automated collection of certain types of information, some of which may be considered Personal Information under applicable laws or in specific circumstances. This information includes:
- 2.2.1 IP address;
  - 2.2.2 browser type; and
  - 2.2.3 operating system.
- 2.3 In addition, the Website uses a range of cookies to improve and personalise your experience. More information about these can be found in the Cookies Policy (<http://www.mtsmarkets.com/mts-home/privacy-and-cookies-policy>).
- 2.4 We will only collect information that is necessary for us to provide you with the product or service that you have requested. The type of information that we may collect will depend upon the nature of that service or product.

### **3. HOW WILL WE USE ANY PERSONAL INFORMATION THAT WE COLLECT AND ON WHICH LEGAL GROUND?**

- 3.1 The following is an overview of MTS's purposes for processing Personal Information. Please remember that additional information may be provided to you in a separate notice, or in our terms and conditions. In addition to paragraph 1.5, in the event of any conflict between any separate notice and our terms and conditions, our terms and conditions shall take precedence.
- 3.2 The purposes for which we process your Personal Information are to:

- 3.2.1 provide you with specific services in accordance with a contract you are entering, or have entered into with us;
  - 3.2.2 register you for client services, and to create user accounts (for instance, in respect of UnaVista services);
  - 3.2.3 onboard you as a client and to carry out background and screening checks (for instance, where your firm applies for membership of a market owned by MTS);
  - 3.2.4 compile and maintain files on prospective and current directors and qualified advisors, and to carry out background and screening checks on the same, in order to comply with regulatory requirements;
  - 3.2.5 carry out regulatory reporting when required by the type of service provided by MTS; (the purposes above are jointly defined as the "**Mandatory Purposes**");
  - 3.2.6 provide you with newsletters or alerts where you have signed-up for these on the Website;
  - 3.2.7 conduct market research surveys, where you choose to participate in these;
  - 3.2.8 run competitions to which you registered;  
(the purposes of 3.2.6 to 3.2.8 above and 3.3 below are jointly defined as the "**Marketing Purposes**")
  - 3.2.9 analyse usage of the Website (see more information in relation to our use of analytics tools below) in compliance with the terms of our Cookies Policy;
- 3.3 Your Personal Information may be processed either electronically or in hard copy form, both inside and outside the EU, in accordance with Section 6. We may send you direct marketing communications. Where these are electronic communications (email or telephone) we will have obtained your prior consent. In limited circumstances, where we have obtained your explicit prior consent, we may send you marketing communications in relation to carefully selected and relevant third party partners, whose products and services may be of interest to you. You may opt out of certain kinds of marketing, or all forms of marketing, by emailing us at the following address: [info@mtsmarkets.com](mailto:info@mtsmarkets.com). Alternatively, you can click on the "opt-out" link provided in all our marketing emails.
- 3.4 The processing of your Personal Information for the Mandatory Purposes is necessary for the performance of the products and/or services offered by MTS. If you do not want to have your Personal Information processed for such purposes, you shall not use the products/services provided by MTS, but in such case you will not be able to use them. The processing of your Personal Information for the Marketing Purposes is discretionary and subject to your prior consent. In case of lack of consent from you, you will not be able to receive the communications and participate to the initiatives referred above. The processing of your Personal

Information for the purposes of 3.2.6 is performed according to the terms of the Cookies Policy.

## 4. ANALYTICS

- 4.1 This paragraph 4 applies only in relation to the processing of Personal Data performed through the Website and/or in connection with products and/or services offered through it.
- 4.2 We use analytics tools on the Website to provide the service you request, identify service issues to us, improve our services, provide content tailored to your personal preferences, and to monitor the Website's traffic and usage.
- 4.3 When we send you marketing emails, we may use email tracking technology, such as dynamic links and image files, to monitor engagement and to understand the relevance and effectiveness of our communications to you.
- 4.4 When you fill in forms or download files from the Website, we may use technologies to distinguish known from unknown Website visitors, and to monitor customer engagement with our services.
- 4.5 We may use IP lookup technology to determine your general location so that we can customise the Website for you. We may also use IP lookup to determine how our known clients engage with different parts of the Website.
- 4.6 All of these tools may be provided by third-party service providers and may include the collection and tracking of certain data and information regarding the characteristics and activities of visitors to the Website. We may disclose data, including Personal Information, to certain such third-party services providers in order to obtain such services.
- 4.7 One of our providers is Google Analytics and more information about the ways in which they collect and process your Personal Information can be found here: <https://www.google.com/policies/privacy/partners>.

## 5. DISCLOSURE OF YOUR PERSONAL INFORMATION

- 5.1 We may share your Personal Information within the Group we belong, both inside and outside the European Economic Area as mentioned in Section 6, in order to provide you with our services. Access to your Personal Information is limited to those employees, agents and contractors of the Group we belong who need access to it in order to provide you with our services; to communicate with you (including, with your prior consent, to send you marketing communications); and to carry out legal or regulatory obligations.

- 5.2 We may also employ the services of third party service providers located both inside and outside the European Economic Area as mentioned in Section 6 to help us in certain areas, such as website hosting, physical security, marketing and market research. Where third party service providers receive your information we will remain responsible for the use of your Personal Information. We take appropriate steps to ensure that such third parties treat your Personal Information with the same consideration that we do.
- 5.3 We may from time to time be required to disclose your Personal Information to law enforcement bodies, regulators, agencies or third parties under a legal requirement or court order. We act responsibly and take account of your interests when responding to any such requests.

## **6. CROSS-BORDER TRANSFERS OF YOUR PERSONAL INFORMATION**

- 6.1 We are a company, with businesses both inside and outside of the European Economic Area ("**EEA**"), Third party service providers who handle data on our behalf may be based in locations around the world, and we may also be subject to scrutiny from courts or regulators in a number of different jurisdictions. For these reasons, your Personal Information may be transferred to other countries both inside and outside of the EU and the EEA. As privacy laws in other countries may not be equivalent to those in your home country, we only make arrangements to transfer data overseas where we are satisfied that adequate levels of protection are in place to protect any information held in that country or that the service provider acts at all times in compliance with applicable privacy laws. Where required under applicable laws we will take measures to ensure that Personal Information handled in other countries will receive at least the same level of protection as it is given in your home country, for instance by entering into contracts incorporating the European Commission approved model contract clauses.

## **7. MODALITIES OF PROCESSING OF YOUR PERSONAL INFORMATION**

Your Personal Information are processed by electronic and non-electronic means for the time strictly necessary to achieve the objectives for which that information has been collected. MTS implements appropriate technical and organizational measures so as to prevent losses and illegal or incorrect use of data, or non-authorized access.

## 8. RETENTION OF YOUR PERSONAL INFORMATION

- 8.1 We will retain your Personal Information for as long as is reasonably necessary for the purposes listed in Section 3 above. In particular:
- Personal Information collected for the Mandatory Purposes are retained for the period necessary to the provision of the required product or service, plus a maximum of 10 years from the termination of the account or the termination of the services;
  - Personal Information collected for the Marketing Purposes are retained for the period necessary to the provision of the required product or service and for the following 2 years;

At the end of the retention period your Personal Information will be either deleted or anonymized and aggregated.

- 8.2 However, in some circumstances we may retain Personal Information for longer periods of time, for instance where we are required to do so in accordance with legal, tax or accounting obligations. In specific circumstances also we may also retain your Personal Information for longer periods of time so that we have an accurate record of your dealings with us in the event of any complaints or challenges.

## 9. PROTECTION OF YOUR PERSONAL INFORMATION

- 9.1 We will hold your Personal Information securely whilst it is under our control, including where it is processed by third party service providers on our behalf. We train our employees in respect of their obligations under data protection laws, and we ensure that only relevant MTS employees, contractors and agents have access to your Personal Information.
- 9.2 We take the security of our physical premises, our servers and the Website seriously and we will take all appropriate technical measures using recognized security procedures and tools in accordance with good industry practice to protect your Personal Information across all of these platforms.
- 9.3 Whilst we use all reasonable endeavours to protect your security in the manner described above, we consider that it is only appropriate to advise you that data transmission over the Internet and the World Wide Web cannot always be guaranteed as 100% secure, and therefore that you use the Website at your own risk.

## 10. OUR USE OF COOKIES AND OTHER TRACKING TECHNOLOGIES

- 10.1 The Website uses cookies and other technologies to improve and tailor your browsing experience as set forth in this Policy and in our Cookie Policy. Please visit our Cookies Policy for more information.
- 10.2 **Do-Not-Track.** Currently, our systems do not recognize browser “do-not-track” requests. You may, however, disable certain tracking as discussed in our Cookie Policy.

## 11. YOUR RIGHTS

- 11.1 Subject to applicable law, you may have some or all of the following rights in respect of your Personal Information:
- 11.1.1 to obtain a copy of your Personal Information together with information about how and on what basis that Personal Information is processed;
  - 11.1.2 to rectify inaccurate Personal Information (including the right to have incomplete Personal Information completed);
  - 11.1.3 to erase your Personal Information (in limited circumstances, where it is no longer necessary in relation to the purposes for which it was collected or processed);
  - 11.1.4 to restrict processing of your Personal Information where:
    - 11.1.4.1 the accuracy of the Personal Information is contested;
    - 11.1.4.2 the processing is unlawful but you object to the erasure of the Personal Information;
    - 11.1.4.3 we no longer require the Personal Information but it is still required for the establishment, exercise or defense of a legal claim
  - 11.1.5 to challenge processing which we have justified on the basis of a legitimate interest (as opposed to your consent, or to perform a contract with you);
  - 11.1.6 to prevent us from sending you direct marketing;
  - 11.1.7 to withdraw your consent to our processing of your Personal Information (where that processing is based on your consent);
  - 11.1.8 to object to decisions which are based solely on automated processing or profiling.
  - 11.1.9 In addition to the above, you have the right to lodge a complaint with the supervisory authority. In the Italy there is the Garante per la protezione dei dati personali.
  - 11.1.10 If you wish to investigate the exercising of any of these rights, please contact us using the details set out below.

You can exercise the rights mentioned above through the modalities set out in Section 14 below.

## 12. CHANGES TO THIS PRIVACY POLICY

12.1 Any changes we make to this Privacy Policy will be notified in advance and detailed on this page in order to ensure that you are fully aware of what Personal Information is collected, how it is used and under what circumstances it will be disclosed.

## 13. LINKS

13.1 This Privacy Policy applies only to information collected by this Website. The Website may contain links to other websites. Please be aware that we are not responsible for the privacy policies of such other sites and we would advise you to read the privacy statements of those sites.

## 14. INFORMATION ABOUT THE DATA CONTROLLER AND CONTACT DETAILS

14.1 Your data controller will be MTS S.p.A.. In all cases, if you have any complaints or queries relating to the processing of your Personal Information by any member of MTS, or to exercise any rights in respect of your Personal Information, you should contact us in one of the following ways:

By post: MTS Spa Via Tomacelli 146, 00186 Rome

By email: [info@mtsmarkets.com](mailto:info@mtsmarkets.com)



[www.mtsmarkets.com](http://www.mtsmarkets.com)