

Privacy Policy

1. General Terms

Swaper Platform OÜ, registry code 14726410, legal address: Harju maakond, Tallinn, Viru väljak 2, 10111 (hereinafter – Swaper) has created this privacy policy (hereinafter – Privacy Policy) aims to give you information on how we collect, process and transfer your personal data through your use of our website (<https://swaper.com>) together with our application (Swaper mobile apps) and their functionalities (hereinafter – Platform).

It is important that you read this Privacy Policy so that you are fully aware of how and why we are using your personal data.

Terms not otherwise defined in this Privacy Policy have the meaning given to them in our Terms of use which are available on our website.

2. Definitions

Personal data - any information related to an identified or identifiable natural person.

Personal data processing - any operations carried out regarding personal data, including data collection, registration, recording, storing, arrangement, transformation, using, transfer, transmission and dissemination, blockage or erasure.

User - any natural person ('data subject') and representative who represents the legal entity and who uses, has used or has expressed a wish to use the services provided by Swaper.

3. Categories of personal data collected

We may collect, use, store and transfer different kinds of personal data about you as User which we have grouped together as follows: identity data, contact data, transaction data, profile data, usage data and marketing and communications data. Specifically, the data collected includes:

3.1. Identity data, including the User's full name, date of birth, place of birth, personal identity number, investor's id number, copy of an identification document (passport or national id card), and all information from

identification document, including photograph, copy of a utility bill, User's bank account information, place of tax residence, occupation, preferred language;

3.2. Contact data, including the User's home address, country of residence, e-mail address, phone number and preferred communication language;

3.3. Transaction data, including the User's invested funds, investments, transactions records of payments made to and received from Swaper, selected transaction currency (EUR or GBP), account value, deposits made, net withdrawals made, average interest rate received to date, available balance on account, value of funds currently invested, claimed disbursements of money, information regarding the concluded assignment agreements;

3.4. Profile data, including login and password details, IP address;

3.5. Usage data, including device usage statistics (i.e what kind of device used to access the service, what kind of operating system used), how our service is being used (e.g. which specific services available are used, which parts of the site are accessed and how);

3.6. Due diligence data, including, but not limited to, origin and source of wealth and funds, ownership of the funds, income range, status of politically exposed persons, information on the purpose and intended nature of the business relationship, information gained from activities of risk assessment, as well as information about the shareholders and beneficial owners of the legal entity, including their identity data, contact details, status of politically exposed persons, origin and source of wealth and funds, and other information which is provided by User or requested by Swaper;

3.7. Marketing and communications data, including the User's communication with Swaper through e-mail, live-chat or phone, selected preferences regarding the receipt of newsletters, weekly account statements, notification of account being funded, notifications of withdrawals being processed, call recording and any received or sent letter to User;

3.8. Any other information the User has provided to Swaper or which Swaper has collected itself from the sources permitted by law, including via internet or media.

4. Purposes for which we use your personal data

The personal data that we collect and store relating to you on Swaper is primarily used to enable us to provide our services. Specifically, the personal data is collected and processed for the following purposes:

4.1. registration of Users;

4.2. identify verification of Users;

- 4.3. maintain the User account;
- 4.4. process the applications received from the Users;
- 4.5. provide the services;
- 4.6. Fulfilling anti-money laundering and terrorist financing requirements as well to identify and prevent any criminal activity;
- 4.7. Maintaining and ensuring continuous delivery of service;
- 4.8. Improving the quality of the service;
- 4.9. perform the duties arising from the requirements of regulatory enactments;
- 4.10. contacting you regarding the services provided, as well as new services that might be of interest to you and inform about changes in services and contractual relations;
- 4.11. ensure the receipt of appropriate commercial and non-commercial notifications;
- 4.12. making decisions such as granting you a loyalty bonus. We usually make decisions automatically using our Platform and inform you via e-mail once we have reached a decision;
- 4.13. use in any other legal manner.

5. Legal basis of processing client data

5.1 Performance of agreements

The main purpose of data processing by Swaper is to document, execute and administer agreements with the User. To conduct necessary transactions via credit institutions, settlement and payment systems and to manage relations with Users, providing and administrating access to the services; to authorize and control access to the services.

5.2. Compliance with legal obligations

In order to comply with its legal obligations, Swaper is required to process User's personal data in accordance with EU or local legislation. Examples of purposes for processing are to comply with rules and regulations related to accounting, tax information submission in the authorities.

5.3. Legitimate interest

Swaper processes the User's personal data for Swaper's legitimate interest. Swaper has considered this processing to be necessary for the purposes of the legitimate interest pursued by Swaper, which Swaper has deemed to outweigh the User's interests of protection of the User's personal data. Examples of purposes for processing are to verify the User's identity, to provide to the User additional services, such as create personalized offers; to develop and improve Swaper' services or to prevent, limit and investigate any misuse or unlawful use of the services.

5.4. Consent

Swaper will, in some cases, ask for the User's consent to process their personal data. The consent will contain information on that specific processing activity. For example, Swaper processes User's personal data for sending direct marketing messages. Swaper provides that the User can withdraw the consent in any time.

6. Transfer of personal data to third parties

We may have to share your personal data with internal and external third parties when they require it to perform our or their obligations to us or to support any of our services which you use, including:

- 6.1. know your customer (KYC), analytical and cyber security service providers;
- 6.2. transferring your personal data to relevant authorities, such as law enforcement agencies, bailiffs, notaries, tax authorities, supervisory authorities and Financial Intelligence Unit, and credit institutions;
- 6.3. providers of databases and registers, debt collectors and bankruptcy, or insolvency administrators;
- 6.4. customer-interface service providers (such as online support interface service providers);
- 6.5. to offer, implement and develop new services;
- 6.6. cooperation partners - service providers, such as legal, accounting, auditing service providers, website maintainers, marketing service providers, etc.;
- 6.7. exchange with other service providers with your personal data that we have obtained or you have provided us with, while using the services offered on Platform;
- 6.8. to identify, investigate and prevent any money laundering or terrorist financing activities, as well as any fraudulent activities;
- 6.9. for the needs of statistics and any other research;
- 6.10. in the course of legal research and/ or in case of sale of an enterprise; Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Privacy Policy.
- 6.11. in the cases provided for in regulatory enactments.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

7. Receipt of information from third parties

We can request and obtain information about the User from the third parties such as from payment institutions, public and private databases, social networks, and other sources for reasons related to service provision (for example, to verify User or his/ her email or to ensure proper payments), to make customer due diligence, or to fulfil other legal obligations. For the aforementioned purposes, we can request and obtain:

1. Information by searching for information about you, about your financial standing, credit standing, past and present liabilities and indebtedness, employment, as well as other necessary information in other publicly available sources;
2. information from financial and payment institutions;
3. information from our cooperation partners regarding the provision of payments, technical support or services;
4. information in any other case, where you have given us the consent or there exists any other legal basis.

In order to ensure that our content, services and messages are consistent with you and similar to your target audience, we may collect information from you and about you to evaluate your potential areas of interest.

8. Cookies

Swaper uses cookies whenever a User visits Swaper Platform. The cookies used are listed in Swaper cookie policy available on Swaper website <https://swaper.com/cookies-policy>.

9. Where and how personal data is stored

9.1. Your personal data is stored and processed mostly in the European Union / European Economic Area (EU/EEA). All Information you provide to us is encrypted and stored securely on our servers or the servers of our partners.

9.2. The transfer and processing of personal data outside of the EU/EEA can take place provided there is a legal basis and one of the following conditions:

the country outside of the EU/EEA where the recipient is located has adequate level of data protection as decided by the EU Commission;

the controller or processor has provided appropriate safeguards, for example, the EU standard contractual clauses or other authorized contractual clauses, approved codes of conduct or certification mechanisms;

there are derogations for specific situations applicable, for example,

User's explicit consent, performance of a contract with the User, conclusion or performance of a contract concluded in the interest of User, establishment, exercise or defence of legal claims, important reasons of public interest.

9.3. The transmission of information via the internet is not completely secure and therefore we cannot guarantee the security of data sent to us electronically and the transmission of such data is entirely at Users' own risk. Where we have given to User a password so that the User can access certain areas of our site, the User is responsible for keeping this password confidential.

10. Personal data storage period

User's data will not be processed longer than necessary for the purposes for which the User's personal data was collected and processed or required by regulatory legislation or data protection legislation. We will retain your personal data as long as you are using Swaper Platform and for 10 years after that to comply with applicable laws and regulations as well as to protect our rights and legitimate interests. In specific circumstances, such as cases of anti-money laundering or fraud, we may keep your personal data for longer if we must and/or the law says we are required to.

11. Profiling and automated decision making

11.1. We offer an automated tool for making investments on Swaper Platform – 'auto-invest portfolio'. The criteria can be selected by User itself or by Swaper.

11.2. Once criteria have been set and auto-invest portfolio enabled the tool will automatically search for and invest in available loans. If no loans are immediately available, the purchases of loans will be made at a future time when loans matching the selected criteria become available.

11.3. The auto-invest portfolio tool can be enabled or disabled by the user at any time.

12. User's rights as a data subject

Under certain circumstances, you have rights under data protection laws in relation to your personal data, such as to:

12.1. know all information about your personal data processing and the use that has been made of your personal data in that processing;

12.2. access any personal data that we hold about you and/or to get a copy of it;

12.3. request to correct any inaccurate data;

12.4. ask us to delete, 'block' or suppress your data, though for legal reasons we

might not always be able to do it;

12.5. object to us using your personal data;.

12.6. request not to be subject to fully automated decision-making, including profiling;

12.7. withdraw any consent you've previously given us. Please note that the withdrawal of certain consents (e.g. agreement to the Terms of Use) may result in us not being able to continue providing the service to you;

12.8. you have right to your personal data portability – to obtain a copy of your personal data as a digital file, to keep and use for personal ends, or to give or share with others;

12.9. Right to submit a complaint to the national personal data protection authority: The User can lodge complaints pertaining to Swaper's processing of User's personal data to Estonian Data Protection Inspectorate if the User considers that the processing of his/ her data infringes the User's rights and interests in accordance with data protection legislation.

Data Protection Inspectorate/ Andmekaitse inspektsioon

Tatari 39, 10134 Tallinn, ESTONIA

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www.aki.ee

We respond to all legitimate requests within one month. Any disputes relating to the personas data processing shall be resolved by way of negotiation. If no agreement can be reached by way of negotiation, you have the right to submit a complaint to the supervisory authority.

13. Contract details

For any questions regarding this Privacy Policy and your privacy please contact

Swaper Data Protection Officer Zane Ziedone at:

E-mail: compliance@swaper.com

Contact details of Swaper are available on <https://swaper.com>.

14. Changes to the Privacy Policy

We will post any changes made to our Privacy Policy on Platform and, we will let you know by email of those changes which are significant. Any version of the Privacy Policy that is published on this page replaces all previous versions of the Privacy Policy and takes effect immediately upon posting.

Last updated: 05.09.2022.