

# OSTTRA

## Privacy Policy

September 2023

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## About

The OSTTRA Privacy Policy details how OSTTRA processes and secures personal information and contains important information about how individuals may exercise their data privacy rights.

This document acts as the master copy of the OSTTRA Privacy Policy, which is published on the OSTTRA website.

## OSTTRA Privacy Policy

OSTTRA Group Ltd. and its subsidiaries (collectively "OSTTRA," "us," "we," or "our") are committed to protecting your privacy and providing you with a positive experience while using our websites, products, or services ("Services"). This Privacy Policy ("Policy") explains how we collect, share, and use personal information about you, and how you can exercise your privacy rights.

International privacy compliance is constantly evolving and to ensure this Policy remains consistent with all our obligations, we may, at any time, modify this Policy. If we make revisions that change the way we collect, use, or share personal information, we will post those changes in this Policy. If we make material changes to the Policy, we may also notify you by other means prior to the changes taking effect, such as by posting a notice or contacting you directly.

You should review this Policy periodically so that you keep up to date on our most current policies and practices. We will note the effective date of the latest version of our Policy at the end of Policy.

### 1. Scope

This Policy applies to OSTTRA's Services and provides you with guidance on your rights and obligations in relation to your personal information.

This Privacy Policy establishes and communicates the key principles that OSTTRA follows in protecting the personal information that we collect. Please note that some privacy rights and obligations may differ in certain locations based on local law, in which case OSTTRA will comply with the local legal requirements. To the extent a notice provided at the time of collection from a website or specific product conflicts with this Policy, such specific notice or supplemental privacy statement will control.

### 2. Collection of Personal Information

"**Personal information**" is any information that can be used to identify an individual or device, and may include things such as your name, physical address, email address, phone number, login information, marketing preferences, company affiliation, geographic location, or payment card information. OSTTRA may collect personal information that is necessary for legitimate business purposes, which will be disclosed to you at the time of collection. OSTTRA will use this information for the purposes for which it was collected. OSTTRA may also collect personal information from trusted third-party sources and engage third parties to collect personal information to assist us.

One of the most common ways we receive your information is directly from your employer. This occurs after we've arranged to provide services to your employer, and they give us your information to enable your access to our websites, products, or services. Another common method is during an online form submission or registration process, including where a website user is requesting a free trial or a courtesy newsletter, registering for an event, or responding to similar offers such as sample reports, white papers, or further product information.

In some instances, OSTTRA and the third parties we engage may automatically collect and aggregate data using cookies, weblogs, web beacons, and other similar applications. This information is used to better understand and improve the usability, performance, and

effectiveness of our Services and to help us tailor content or offers for you. Please see our [Cookie Policy](#) for more information.

### 3. Purpose and Use of Personal Information

OSTTRA may use your personal information for operational, legal, administrative, and other legitimate purposes permitted by applicable law. Some of the ways we may use personal information include:

- Providing you with requested products or services.
- Providing you with information regarding similar products or events.
- Analysing and monitoring extent of use.
- Providing customised product and service information.
- Allowing users to participate voluntarily in mailings or other events.
- Providing product service updates, information, and alerts.
- Sending communications, including for marketing or customer satisfaction purposes.
- Order processing and to provide transaction documents.
- To contact users for verification purposes.
- Analysing and monitoring extent of use and enhancing OSTTRA's Services.
- To meet our legal and regulatory obligations, for example anti-money laundering, prevention of financial crime and transaction reporting.

### 4. Your Rights

We strive to make sure that our information is reliable, accurate, and up to date. While personal information is maintained by OSTTRA, individuals in certain jurisdictions will have rights over how their personal information is processed. To find out what rights apply in your jurisdiction, please visit Section 11 (Additional Information for Certain Jurisdictions).

To make a request regarding your personal information, please complete the form found on our [Privacy Request Page](#).

Or contact our data protection officer Rob Garwell:

Email: [rob.garwell@osttra.com](mailto:rob.garwell@osttra.com)

Address:

OSTTRA

Fruit & Wool Exchange

1 Duval Square

London

E1 6PW

United Kingdom

To appeal a decision OSTTRA has made regarding a submitted request, you can send an email to [privacy@osttra.com](mailto:privacy@osttra.com) or [rob.garwell@osttra.com](mailto:rob.garwell@osttra.com)

Below is a brief description of rights that may apply to you:

#### + 4.1 Right of access

You may have the right to access your personal information to review, update, and correct inaccuracies. There are some exemptions, which means you may not always receive all the information we process. Additionally, there may be limits to the amount of information we will provide access to. For example, in some cases, we may limit access to personal information where the request is manifestly unfounded or excessive, in particular because of the requests have been repetitive in character, or where doing so would violate the rights of others.

#### + 4.2 Right to information

In some circumstances and subject to certain exceptions, you may have the right to request information about the processing of your information. Information typically requested includes:

- The categories or specific types of personal information we have collected
- The business purpose for collecting, disclosing, and/or selling the information
- The sources from which personal information was collected
- The categories of third parties with whom we share personal information

- The criteria used to determine the time that personal information will be held
- The existence of automated decision-making, including profiling that uses your personal information
- The safeguards we've applied to protect your information when it is transferred internationally

#### +4.3 Right to rectification

You may have the right to ask us to rectify personal information you think is inaccurate. This could also include the right to ask us to complete information you think is incomplete.

#### + 4.4 Right to erasure

In some circumstances and subject to certain exceptions, you may have the right to ask us to erase your personal information.

#### + 4.5 Right to restrict processing

In certain circumstances, you may have the right to ask us to restrict the processing of your information.

#### + 4.6 Right to object to the processing of your personal information

You may have the right to object to the processing of your information. The right to object to the processing of personal information is most commonly used by individuals when asking a business to cease direct marketing.

#### + 4.7 Right to data portability

In some circumstances, you may request copies of your information in a portable and, to the extent technically feasible, readily usable format that allows you to transmit this information to another entity without hindrance.

#### + 4.8 Right to opt out of the sale of your personal information

You may have the right to direct us not to sell your personal information.

#### + 4.9 Right to opt out of targeted advertising

You may have the right to opt out of the processing of your information for purposes of targeted advertising.

#### + 4.10 Right to non-discrimination

You may have the right to not be treated differently for exercising your rights.

Upon receipt of a valid request made through our [Privacy Request Page](#), we will take the necessary steps to assess and respond. Please be aware that in order to accommodate some requests, we must verify your identity before we can respond to a privacy request, and this may require you to provide identity information to OSTTRA, including your name, email address, and country and state of residence. Because your personal information—for example, your email address—is often required to access or use OSTTRA platforms and technologies, we retain personal information as long as your account is active. You may have the opportunity to correct, update, or modify this information by logging into your account and updating your information online. Please note that some information may be retained in our systems, where permitted by law, even after you request deletion.

## 5. Sharing Personal Information

To support the purposes listed in Section 3 (Purpose and Use of Personal Information), OSTTRA may share or disclose personal information to:

- OSTTRA's parent, subsidiary, affiliates, and other related companies for the purposes listed in Section 3 (Purpose and Use of Personal Information).
- The organisation, typically your employer, that arranges your access to our products or services (if that is not you) to fulfil contractual obligations and to provide our products and services.
- Service providers\* and business partners for the purposes of operating our business, delivering, improving, and customising our products or services, sending marketing and communications related to our business, payment processing, and for other legitimate purposes permitted by applicable law or otherwise with your consent.

\*We set strict provisions on the personal information handled by service providers to ensure they only process it in accordance with our written instructions.

OSTTRA may also share or disclose your personal information to other third parties with your consent or at your direction.

There may also be instances when OSTTRA may need to disclose your personal information without providing you with a choice in order to:

- Honour a request that you have made through the products or services.
- Comply with the law or in response to a court order, government request, or other legal process.
- Protect the interests, rights, safety, or property of OSTTRA or others.
- Protect against fraud or for risk management purposes.
- Respond to adverse third parties (i.e., adverse parties and their counsel and other agents) in the context of litigation.

In addition, if OSTTRA sells all or part of its business or makes a sale or transfer of assets or is otherwise involved in a merger or business transfer, it is important to understand that OSTTRA may transfer your personal information to a third party as part of that transaction. You may be informed of the identity and contact details of the third party where required by applicable law.

In all cases, OSTTRA requires all unaffiliated third parties to treat personal information as confidential. OSTTRA does not provide personal information to third parties for their own marketing purposes.

## 6. Legal Basis for Processing Personal Information

Our legal basis for collecting and using personal information depends on the personal information concerned, the context in which we collect it and the applicable laws and regulations.

In most cases we receive your personal information from your employer. Your employer gives us your information to enable your access to Services, which is done after we've arranged to provide services to your employer. In this context, it is your employer who will determine the legal basis of the processing.

In some cases we collect personal information from you where: we have your consent to do so; we need the personal information to perform a contract with you (for example, your subscription to one of our products) where permitted under applicable data protection laws; or, in some jurisdictions such as the European Economic Area ("EEA"), the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms, or the processing is otherwise consistent with applicable law. In some cases, we are required by law to collect personal information from you.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will inform you whether the provision of your personal information is mandatory and the possible consequences if you do not provide your personal information.

Generally, if we collect and use your personal information in reliance on our legitimate interests (or those of a third party), this interest is to provide our Services to you and for our legitimate commercial interest (e.g., when responding to your queries, improving our Services, advising you of product features or new releases, informing you of product maintenance, or undertaking marketing activities).

Where we send you marketing or promotional e-mails regarding our Services, we do so based on your consent, if required by applicable law.

## 7. Security of Personal Information

OSTTRA has physical, administrative, and technical safeguards in place to help protect the personal information OSTTRA collects. The security safeguards are designed to provide a level

of security appropriate to the risk of processing your personal information. Please be aware that, despite our ongoing efforts, no security measures are perfect or impenetrable. As required by applicable law, we will take appropriate steps, through email, correspondence, telephone, push notification or other means, to notify you about any security incident involving your personal information.

## 8. Retention of Personal Information

OSTTRA will retain your personal information as needed to fulfil the purposes for which it was collected. In most cases this means retaining personal information for the duration of the business relationship under which it was collected. We will retain and use your personal information as necessary to comply with our business requirements, legal obligations, resolve disputes, protect our assets, and enforce our agreements.

## 9. Cross Border Transfer of Personal Information

As a global organisation, we may transfer your personal information to OSTTRA affiliates, agents, contractors, service providers, and to third parties in various countries and jurisdictions around the world. By using our websites or products, or providing any personal information to us, where applicable law permits, you acknowledge the transfer, processing, and storage of such information outside of your country of residence where data protection standards may be different.

OSTTRA safeguards and enables the global transfer of personal information in a number of ways:

### + Standard Contractual Clauses

The Standard Contractual Clauses are one of several mechanisms approved by regulators to ensure adequate safeguards for personal information transferred to a different jurisdiction. In some circumstances, OSTTRA will rely upon Standard Contractual Clauses to lawfully transfer personal information.

### + Adequacy Decisions

In some jurisdictions, international transfers may take place when there is an adequate level of protection to the fundamental right of individuals to data protection. The European Commission has determined that several countries ensure an adequate level of protection. In some circumstances, OSTTRA will rely upon an adequacy decision to lawfully transfer personal information.

## 10. Additional Information for Certain Jurisdictions

### + Brazil

This Section applies to the processing of personal information by OSTTRA subject to the General Data Protection Law of Brazil ("LGPD").

Under the LGPD, you have the right to:

- confirm the existence of processing of your personal data;
- access data;
- correct incomplete, inaccurate, or out of date data;
- anonymise, block, or delete unnecessary or excessive data or data that is not being processed in compliance with the LGPD;
- portability of data to another service or product provider, by means of an express request;
- delete personal data processed with your consent;
- information about public and private entities with which we have shared data;
- information about the possibility of denying consent and the consequences of such denial;

- revoke consent;
- request review of decisions taken solely on the bases of automated processing of personal data that affects your interests.

You or an authorised agent may exercise your rights through the [Privacy Request Page](#). The LGPD also provides that you may file a complaint regarding your data directly with the Brazilian data protection regulator.

#### + California

For the purposes of this Section, “personal information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California resident or household.

**1. Information Collection and Disclosures.** California law requires businesses to disclose whether certain categories of personal information are collected, disclosed for a business purpose, “sold” and/or shared for purposes of cross-context behavioural advertising (as those terms are defined by California law). The table below describes the categories of personal information OSTTRA collects, discloses for a business purpose, and shares for purposes of cross-context behavioural advertising. Please note, in addition to the recipients identified below, we may disclose any of the categories of personal information we collect with government entities, as may be needed to comply with law or prevent illegal activity.

OSTTRA does not sell personal information for money but does use cookies, weblogs, web beacons, and other similar applications for purposes of targeted advertising. Please see our [Cookie Policy](#) for more information.

Category	Category Description	Collected	Categories of Recipients to whom Information is Disclosed for a Business Purpose	Categories of Recipients to whom Information is Shared for Cross-Context Behavioral Advertising
Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, national identification number (including SSN), driver's license number, passport number, or other similar identifiers.	✓	✓	X
Protected classification characteristics.	Age (40 years or older), race, colour, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	X	N/A	N/A



Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories, or tendencies.	X	N/A	N/A
Biometric information.	Genetic, physiological, behavioural, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	X	N/A	N/A
Internet or similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	✓	✓	✓
Geolocation data.	Specific physical location or movements.	X	N/A	N/A
Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	X	N/A	N/A
Professional or employment-related information.	Current or past job history or performance evaluations.	X	N/A	N/A
Non-public education information.	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	X	N/A	N/A
Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behaviour, attitudes, intelligence, abilities, and aptitudes.	✓		
Other	Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)), such as name, signature, Social Security Number, physical characteristics or description, address, telephone number, passport Number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	✓		

**2. California Privacy Rights.** In some circumstances and subject to certain exceptions, California residents have the right to information; rectification; erasure; access/data portability; opt out of the sale of information; right to opt out of targeted advertising; and the right to non-discrimination, as detailed in Section 4 (Your Rights).

You may exercise your privacy rights described above through our [Privacy Request Page](#).

California residents may designate an authorised agent to submit requests to exercise certain privacy rights on their behalf. If you are an authorised agent submitting a request on behalf of an individual, you must attach a copy of a completed [Authorised Agent Designation Form](#) indicating that you are able to act on another person's behalf.

**3. Do Not Track Disclosure.** We do not currently recognise the "Do Not Track" signal.

## + China

This Section applies to the processing of your personal information if you are located in the People's Republic of China ("China").

**1. Sensitive Personal Information.** Sensitive personal information is information whose leakage or unlawful use may easily infringe the dignity of a natural person or cause harm to the personal safety or property security. This may include biometric characteristics, religious beliefs, specially designated status, medical health, financial accounts, personal whereabouts and personal information of minors under the age of 14. We do not collect this Sensitive Personal Information

**2. Notifications.** We cannot guarantee the security of any information or data you provide online. In the event of a security incident, we will take mitigation measures in accordance with our incident response plan and report to competent regulators in China as required by applicable law. In the event of a security incident affecting your personal information, we will notify you as required by applicable law through email, correspondence, telephone, push notification or other means. If you think your data is the subject of a security incident and we have not notified you, or if you are concerned about the security of your data, please contact our dedicated security team at [security@osttra.com](mailto:security@osttra.com).

**3. Contact Information of our China DPO.** You may contact us at [privacy@osttra.com](mailto:privacy@osttra.com).

## + European Economic Area & United Kingdom

The [Policy for the Processing of Data Governed by the GDPR](#) addresses our commitment to the processing of personal information under the EU General Data Protection Regulation 2016/679 and the UK Data Protection Act 2018.

## + Japan

This Section applies to OSTTRA's personal data processing that is subject to Japanese data protection law. OSTTRA will comply with applicable Japanese data protection laws and regulations where they apply.

OSTTRA processes the categories of personal information for the purposes detailed in Section 2 (Collection of Personal Information) and Section 3 (Purposes and Use of Personal Information) of this Policy.

If you have any questions or concerns about our use of your personal information, please contact our Privacy Center via email at [privacy@osttra.com](mailto:privacy@osttra.com).

## + South Africa

This Section applies to the processing of personal information by the OSTTRA subject to South African data protection law.

### 1. Responsible Parties.

OSTTRA's responsible parties that may process personal information from time to time include:

- MarkitServ Limited (UK registered no. 04027741), MarkitServ FX Limited (UK 02828186), Option Computers Limited (UK 01955823);
- TriOptima AB (Sweden 5565849758); and
- MarkitServ, LLC (USA, Delaware 4665434), Traiana, Inc. (USA, Delaware 3222971).

### 2. Personal information of juristic persons

In addition to the individual's personal information collected as set out in this Policy, we process information relating to South African juristic persons, which may constitute personal information for purposes of the Protection of Personal Information Act of South Africa. The personal information relating to South African juristic persons we process includes:

- A company's or other juristic person's name, address, telephone number, email address, company registration number, and company contact's name;
- A company's or other juristic person's incorporation documents, tax numbers, audited financial statements, B-BBEE certificates, and bank account records;
- A company's or other juristic person's representative's details, including their name, email, telephone numbers, job title, job function and details relating to the area of work;
- A company's or other juristic person's product or specification requirements; and
- Information relation to product support interaction and product training information, to the extent that this information is identifiable.

We collect the information directly from the juristic person concerned or its representatives during negotiation, when preparing and concluding agreements and during implementation or use of products/services for their users. We may also collect the information from the client's employee users when they register and use products/services or obtain the information that has been made publicly available via the internet and website searches or when the client's employee user otherwise gives OSTTRA their contact details.

### 3. Purposes and legal basis for the processing of personal information of juristic persons

The purposes of the processing of the abovementioned personal information include:

- To identify clients and prospective customers;
- To market and sell products to clients;
- To negotiate and enter into contracts with clients;
- To obtain permission from clients and their users;
- To conduct training and to provide support to clients/users;
- To record client engagements and conversations;
- To invoice and collect from clients and account for client revenue;
- To comply with applicable statutory obligations; and
- To carry out and manage our business operations and for any other legitimate business purposes.

Generally, we process the above personal information for purposes of the performance of a contract with a client, or where we have the consent of the client or the juristic person concerned, or on the basis that it is in our legitimate interests or that of a third party to whom the information is supplied for purposes of, amongst other things, marketing and selling our products and services, supporting client access to and use of our products, providing training to users of our products, responding to client or user queries, improving products and services, advising users of product features, new releases or maintenance.

The personal information of juristic persons may be shared with third parties and transferred to countries outside of South Africa. Please see the relevant provisions of the Policy in this regard.

#### **4. Laws authorising or requiring the collection of the personal information.**

The legislation in terms of which personal information of individuals or juristic persons may be required to be processed includes:

- The Financial Intelligence Centre Act, 2001;
- The Income Tax Act, 1962; and
- The Company's Act, 2008.

#### **5. Sensitive Personal Information.**

We do not collect any sensitive personal information.

**6. Contact us.** If you have any questions or concerns about this Addendum or the Policy you may contact the Information Officer at [privacy@osttra.com](mailto:privacy@osttra.com), or in accordance with the information provided in the Policy under "How to contact us". We will reply to your request within reasonable period of time and in any event within 30 days. We may require you to verify your identity.

## **11. Other Contractual Relationships**

If you enter into a separate contractual relationship with OSTTRA which requires, or contemplates, collecting, using, or sharing information about you in a manner that is different than that which is described in this Policy, the terms of that agreement will apply.

## 12. Other Websites

This Policy does not apply to sites or applications offered by other companies or individuals, including third party products and services, that may be displayed as content in a search on our website. OSTTRA encourages you to read the privacy policy of any third-party site or applications before transmitting personal information.

## 13. Contact Information

If you have any questions or concerns related to this Policy, please contact the OSTTRA Privacy Team:

[Privacy Request Page](#)

Or contact our data protection officer Rob Garwell:

Email: [Rob.garwell@osttra.com](mailto:Rob.garwell@osttra.com)

Address:  
OSTTRA  
Fruit & Wool Exchange  
1 Duval Square  
London  
E1 6PW  
United Kingdom

If you need to access this Policy in an alternative format due to having a disability, please contact us at 1-855-529-1761 .

If OSTTRA needs, or is required, to contact you concerning any event that involves information about you, we may do so by email, telephone, or mail.

Last updated and effective: September 2024.