

PERSONAL DATA PROTECTION POLICY OF FUMBI, s. r. o.

Pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, repealing Directive 95/46/EC (the “General Data Protection Regulation” or “GDPR”).

1. PERSONAL DATA PROTECTION POLICY

At FUMBI, we take the security and privacy of your personal data very seriously. This Personal Data Protection Policy (hereinafter the “**Policy**”) constitutes the basis for the processing of all personal data obtained in connection with the conclusion and performance of the Client Agreement between you and FUMBI, as well as in connection with the use of the FUMBI Platform.

Capitalised terms that are not defined in this Policy shall have the meaning set out in the Terms and Conditions, which are available on the website www.fumbi.sk.

This Policy governs the collection, use, storage, and deletion of your personal data and provides you with information about your rights under the GDPR. For the purposes of the GDPR, the controller of any personal data we process about you is FUMBI, s. r. o., with its registered office at Suché myto 6, Bratislava – Staré Mesto 811 03, Company Identification Number (IČO): 55 651 232, registered in the Commercial Register maintained by the Municipal Court Bratislava III, Section: Sro, File No.: 177108/B (hereinafter “**FUMBI**”).

Any activity involving the processing of personal data is carried out in accordance with the GDPR and this Policy. We also proceed in accordance with Act No. 18/2018 Coll. on the protection of personal data and on amendments to certain acts, as in force in the Slovak Republic (the “**Personal Data Protection Act**”), as well as in accordance with the MiCA Regulation with regard to the protection of data subjects, transparency, security measures, and the reporting of security incidents.

Please read this Policy carefully so that you understand our approach and procedures relating to your personal data and how we handle it.

2. PRINCIPLES OF PERSONAL DATA PROTECTION THAT WE OBSERVE

We process your personal data in accordance with the following principles laid down in the GDPR:

(a) Lawfulness, fairness, and transparency

We process your personal data lawfully, fairly, and transparently.

(b) Purpose limitation

We collect your personal data for specified, explicit, and legitimate purposes and do not further process it in a manner that is incompatible with those purposes.

(c) Data minimisation

The personal data we process is adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed.

(d) Accuracy

We ensure that your personal data is accurate and, where necessary, kept up to date.

(e) Storage limitation

We store your personal data in a form that permits identification of you for no longer than is necessary for the purposes for which the personal data is processed.

(f) Integrity and confidentiality

We ensure appropriate security of your personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage.

(g) Accountability

We process your personal data responsibly and in full compliance with the GDPR.

3. SOURCES AND SCOPE OF PERSONAL DATA WE PROCESS

We obtain your personal data primarily directly from you as our Client. During the registration process and the creation of an Account, you provide us with your email address (your login name) and set an Account password.

After the Account has been created, and before we provide you with any Services, we will request additional information from you for the purposes of verifying your identity, assessing risk, preventing money laundering, preventing terrorist financing, or other financial crimes. In this context, we will in particular request the provision of Identification Data, such as your first name, surname, and residential address, as well as information on your nationality, gender, identity document, and birth number, for the purpose of fulfilling our legal obligations, in particular those arising from the AML Act and the AML Program.

Furthermore, we collect and process your payment information whenever you make a payment to us. If you provide us with bank account details, we will use them exclusively for collecting payments payable to us and for making payments payable to you.

Pursuant to the Client Agreement and the Terms and Conditions, and in connection with the fulfilment of our obligations under the AML Act, other legal regulations, or internal directives, we may request additional information from you for the purposes of verifying your identity and assessing business risk under the applicable legislation on the prevention of money laundering and terrorist financing, such as copies of: (i) an identity document; in the case of a legal entity, also identity documents of its statutory bodies and identity documents of its ultimate beneficial owners; (ii) proof of permanent residence or other authorised residence (e.g. a duly issued utility bill, a bank account statement showing identification details and a matching address, an extract from the population register, an extract from the Commercial Register, or a similar register); (iii) a photograph of your likeness together with clearly legible details from the identity document; and (iv) information on the source of funds and assets that are the subject of a Deposit under the Terms and Conditions.

For these purposes, we may also use certain information from public registers or other sources in order to verify your identity, assess business risk, and screen for potential fraudulent activity, money laundering, terrorist financing, or other criminal activity.

When you visit the FUMBI Platform, we may automatically collect information about you through the use of Google Analytics in order to understand how you use the Platform. This information is collected and provided to us by Google LLC. as our data processor. If you do not wish Google Analytics to be used in your browser, you may install the Google Analytics Opt-Out Browser Add-On or a similar tool.

We will retain personal data only for the period necessary to achieve the purposes for which it was collected, including purposes arising from legal obligations (e.g. limitation periods, tax obligations, obligations arising from the AML Act). After this period, the data will either be deleted or anonymised, unless further retention is required by law.

4. PROCESSING YOUR PERSONAL DATA

Compliance with this Policy

We process your personal data in accordance with this Policy, the GDPR, the Personal Data Protection Act, the AML Act, and the MiCA Regulation. Where we rely on consent as the legal basis, we will obtain your informed and explicit consent before disclosing your personal data to third parties. You may withdraw your consent at any time, without affecting the lawfulness of processing carried out prior to the withdrawal.

Use of Personal Data

We may use your personal data only on the basis of the following legal grounds:

(a) Performance of the Client Agreement

We process your personal data where it is necessary for the conclusion, performance, amendment, or termination of the Client Agreement. For these purposes, we process your first name, surname, address, and bank account details. Since the conclusion and performance of the Client Agreement is only possible after the creation of your Account, we also process your email address (your login name) and your Account password.

The duration of processing of your personal data is determined by the duration of the Client Agreement. We may continue processing your personal data even after the termination of the Client Agreement on the basis of another legal ground.

(b) Compliance with a legal obligation

We process your personal data where it is necessary to fulfil our legal obligations. We process your personal data in order to comply with applicable legislation on the prevention of money laundering, the prevention of terrorist financing, or other criminal offences. In this context, we may request that you upload a copy of your identity document (passport or identity card) and complete the relevant Identification Data or provide other information pursuant to the Client Agreement and the Terms and Conditions. We may disclose your personal data where necessary in order to comply with legal obligations under applicable laws, court decisions, or legal proceedings. The duration of processing is determined by the duration of the specific legal obligations.

Failure to provide data or the provision of incorrect data by the Client may result in the inability to use the Services, the refusal or blocking of a transaction, or the blocking of the Account or termination of the Client Agreement in accordance with the Terms and Conditions.

(c) Legitimate interests

We may also process your personal data where necessary for the purposes of our legitimate interests, except where such interests are overridden by your interests or fundamental rights and freedoms. Our legitimate interests include:

- **Protection of our rights**

We may retain your personal data where necessary to protect our rights under the Client Agreement, the Terms and Conditions, or applicable law. Such personal data will be retained

only for the necessary period, which shall not exceed ten (10) years from the termination of the Client Agreement.

- **Prevention of fraudulent conduct**

We may retain your personal data where necessary to prevent fraud that could cause damage to us or prejudice our interests, for a period of five (5) years following the termination of the Client Agreement.

- **Enforcement of claims**

We retain your personal data where necessary to enforce claims we may have against you, until the relevant limitation period expires.

- **Marketing to existing Clients**

If you are our Client, we may, on the basis of legitimate interest, send you emails containing information about our own Products and Services similar to those you already use. You may unsubscribe from such communications at any time, easily and free of charge, by clicking the link in the email or by sending a message to: info@fumbi.network.

(d) Consent

We may also process your personal data on the basis of your consent, for example for the purpose of sending various types of marketing information (according to your selection), profiling, or the use of cookies, where such processing is not covered by another legal basis. You may withdraw this consent at any time without affecting the lawfulness of processing carried out prior to the withdrawal.

5. USE OF COOKIES

We use “cookies” to help personalise your use of the FUMBI Platform. A cookie is a text file placed on your hard drive by a web server. A cookie is assigned exclusively to you and can be read only by the domain of the web server that issued it.

One of the main purposes of cookies is to provide convenient, time-saving features. The purpose of cookies is to inform the web server that you have returned to a specific page. For example, if you personalise pages on the FUMBI Platform, cookies help us restore your specific information each time you revisit that page. When you return to the same website, the information you previously provided can be retrieved so that you can easily use customised features.

Most web browsers automatically accept cookies, but you can usually modify your browser settings to reject cookies if you prefer. If you reject cookies, you may not be able to fully use the interactive features of the FUMBI Platform.

6. RECIPIENTS AND PROCESSORS OF YOUR PERSONAL DATA

We may designate third parties as processors who may perform specific activities related to the processing of your personal data under a data processing agreement. We appoint only those processors who provide sufficient guarantees to implement appropriate technical and organisational measures so that processing meets the requirements of the GDPR and ensures the protection of your rights.

We use the following processors who may obtain and process your personal data on our behalf:

- Our parent company, FUMBI NETWORK j. s. a., Suché mýto 6, 811 03 Bratislava - Staré Mesto district, Slovakia, which may subsequently process this data via:

- Amazon Web Services, Inc., 410 Terry Ave. N., Seattle, WA 98109-5210, USA;
- Apple Inc., One Apple Park Way, Cupertino, CA 95014, USA;
- Google LLC (hereinafter referred to as "Google"), 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA;
- Fireblocks Ltd, Derech Menachem Begin 150, 6492105 Tel Aviv, Israel;
- Hetzner Online GmbH, Industriestr. 25, 91710 Gunzenhausen, Germany;
- Januar ApS, Gothersgade 14, 4th floor, 1123 Copenhagen K, Denmark;
- NexPay UAB, Žalgirio g. 90-100, LT-09303, Vilnius, Lithuania
- SALESmanago, Grzegorzeczka St 21, Kraków, Małopolskie 31-532, Poland;
- SUM AND SUBSTANCE LTD, 30 St. Mary Axe, London, England, EC3A 8BF;
- The Constant Company, LLC (Vultr), 319 Clematis Street, Suite 900, West Palm Beach, FL 33401, USA
- Usability Engineering Center s. r. o., Mikovíniho 8, 917 01 Trnava, Slovakia.

When transferring your personal data outside the EU/EEA, we ensure that the recipient is established in a country subject to a European Commission decision on an adequate level of protection, or that appropriate safeguards are in place (e.g. standard contractual clauses, enforceable rights, and effective legal remedies).

7. YOUR RIGHTS

Under the GDPR, you have the following rights in relation to the processing of your personal data:

(a) Right to be informed

You have the right to be informed about the processing of your personal data. We provide such information in this Policy.

(b) Right of access

If you wish to access the personal data we hold about you, please contact us.

(c) Right to rectification

If the personal data we hold about you is inaccurate or incomplete, you have the right to request its correction. If such data has been disclosed to a third party with your consent or for legal reasons, we must request that the third party rectify it accordingly.

(d) Right to erasure (right “to be forgotten”)

You have the right to request the erasure of all your personal data. However, we are not obliged to erase your personal data if we have a legal basis for processing it or if processing is necessary for the performance of the Client Agreement.

(e) Right to restriction of processing

You have the right to request that we restrict the processing of your personal data where:

- you contest the accuracy of your personal data (for the period necessary to verify its accuracy);
- you object that the processing is unlawful and request restriction instead of erasure;
- we no longer need the personal data for processing purposes, but you require it for the establishment, exercise, or defence of legal claims;
- you have objected to processing pursuant to point (g) below, pending the verification whether our legitimate grounds override yours.

Where processing has been restricted, such personal data may, with the exception of storage, be processed only 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 of the European Union or a Member State.

(f) Right to object

You have the right to object to the processing of your personal data where it is based on our legitimate interests. Unless we demonstrate compelling legitimate grounds overriding your interests, rights, and freedoms, or grounds for the establishment, exercise, or defence of legal claims, we will cease processing your personal data.

(g) Right to withdraw consent

If you have given consent to the processing of your personal data, you have the right to withdraw such consent at any time. Upon withdrawal, we will cease processing the relevant data. However, as a rule, we do not process personal data on the basis of consent, but on the basis of the Client Agreement.

(h) Right to lodge a complaint

You have the right to lodge a complaint with the competent data protection authority if you believe that we process your personal data inconsistently with the GDPR or do not respect your rights. Contact details of data protection authorities in all EU Member States are available at: https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm

All of the above rights (except the right to lodge a complaint, which must be exercised directly with the competent authority) may be exercised by submitting a request to us. Please contact us by email at: info@fumbi.network.

(i) Right to data portability

Where the processing of your personal data is based on a contract or consent and is carried out by automated means, you have the right to receive the personal data you have provided in a structured, commonly used, and machine-readable format, and the right to transmit such data to another controller, where technically feasible.

(j) Right not to be subject to solely automated decision-making

Where we use automated decision-making or profiling that produces legal effects concerning you or significantly affects your rights or freedoms (e.g. in connection with obligations under the AML Act or the Suitability Assessment of FUMBI Products and Services for a specific Client under the Terms and Conditions), we ensure that:

- you are informed of the existence of such decision-making;
- you have the right to object to such decision-making;
- where required by law, you are provided with an explanation and the possibility to intervene (e.g. to correct data or request manual review).

8. LINKS TO OTHER WEBSITES

The FUMBI Platform may contain links to or from the websites of our partners, advertisers, social media platforms, or other third parties. If you access any such website via a link, please note that those websites may have their own privacy notices and that we are not responsible for, and do not assume liability for, such notices. Where available, please review those notices before providing your personal data to such websites.

9. HOW WE PROTECT YOUR PERSONAL DATA

We use a variety of security technologies and procedures to protect your personal data from unauthorised access, use, or disclosure. Your personal data is secured on computer servers in a controlled and secure environment, protected against unauthorised access, use, or disclosure. Where sensitive information (such as bank account details and/or geolocation data) is collected on the FUMBI Platform and/or transferred to other websites, it is protected through encryption, such as the Transport Layer Security (TLS) protocol.

We apply a high standard of cyber and information security in accordance with the requirements of the MiCA Regulation and the GDPR. In the processing and transfer of personal data and data related to crypto-assets, we use advanced encryption mechanisms, multi-level authentication methods, and hardware-based security features. We regularly conduct penetration testing, security audits, and system resilience testing against attacks, including DDoS attacks, and implement measures for system and data recovery following an incident (disaster recovery). In the custody and storage of crypto-assets, multi-signature mechanisms, segregated storage, and other measures appropriate to the nature and scope of the Services are applied.

Despite our efforts to provide a highly secure environment for processing your personal data, we cannot entirely exclude the possibility of unauthorised access, use, or disclosure.

In the event of a personal data breach (incident), we will proceed in accordance with the GDPR, which means that:

- we will notify the supervisory authority (the Office for Personal Data Protection) without undue delay and no later than 72 hours after becoming aware of the incident, where the breach is likely to result in a risk to the rights and freedoms of natural persons;
- where the breach is likely to result in a high risk to your rights and freedoms, we will inform you without undue delay;
- we will provide you with information on the nature of the breach, the data concerned, the possible consequences, and the measures taken or planned.

10. CHANGES TO THIS POLICY

This Policy forms an integral part of the FUMBI Terms and Conditions and may be amended by us in the same manner as the Terms and Conditions.

Contact us

If you have any questions regarding this Policy, you may contact us at: info@fumbi.network