

**APPROVED**

**Director of ERPBEL Ltd.**

**I.P. Lysakouskaya**

**22.02.2023**



**CONFIDENTIALITY POLICY**

**as 12.11.2021**

**as amended on 22.02.2023**

**Minsk**

**ERPBEL, operator of BYNEX cryptoplatform** and owner of internet portal [www.bynex.by](http://www.bynex.by) (hereinafter – SITE, including [www.bynex.io](http://www.bynex.io)), informs its USERS on policy applied on the SITE with regard to USER personal data.

This confidentiality policy (hereinafter – POLICY) is based on norms of Belarus legislation and international legislation in the area of personal data protection, as well as requirements of the HTP Supervisory Board (hereinafter – Legislation). These principles and norms shall be applied at processing of USER personal data when using BYNEX cryptoplatform for protections of USER personal life.

This POLICY aims to ensure and guarantee informing of all USERS on what personal data on users and visitors are collected by BYNEX, how it is done and with what purposes.

This POLICY is an integral part of USER AGREEMENT.

This POLICY shall be applied to all information submitted by USERS to BYNEX.

USERS – all individuals registered as users on SITE of BYNEX cryptoplatform.

When USER provides a respective mark to agree with USER AGREEMENT and this POLICY on the SITE and further supplies personal data via BYNEX cryptoplatform means unconditional agreement of USER with this POLICY. If USER does not agree with these conditions, he or she shall abstain from using BYNEX cryptoplatform.

A user by registering on SITE and leaving his or her personal data gives his or her consent to receive to mobile phone number or e-mail address specified at registration SMSs and e-mails from BYNEX related to operations on BYNEX cryptoplatform, as well as SMSs and e-mails with information on new products, promotions, special offers, etc.

Terms in this POLICY are used in accordance with USER AGREEMENT and Legislation currently in force.

## **1. USER PERSONAL DATA**

**1.1.** BYNEX shall process personal data of USERS *following their direct consent* while *concluding and implementing* USER AGREEMENT for rendering services of cryptoplatform operator in accordance with the Legislation currently in force, including those aimed at improving SITE services.

**1.2.** Any information related to USER shall be considered as personal data.

**1.3.** Personal data processing – any action or a number of actions imposed on personal data, including their collection, systematization, storage, amendment, use, anonymization, blocking, distribution, provision, and deleting.

**1.4.** *When agreeing with this POLICY USER provides his/her consent for processing of the following USER personal data:*

**1.4.1.** any data, which allow to directly identify USER (for example, real name of user, e-mail address, phone number, etc.);

**1.4.2.** any data, which on the basis of which it is possible to identify USER separately on in combination of other available information;

- 1.4.3. other information obtained in the process of USER identification and verification;
- 1.4.4. data on operations (transactions) performed by USER on BYNEX cryptoplatform;
- 1.4.5. data on USER payment instruments, including banking card, electronic wallet, virtual wallet data;
- 1.4.6. technical information on hardware used (IP-address, software version, etc.);
- 1.4.7. data on USER behavior and procedure of BYNEX cryptoplatform functionality utilization;
- 1.4.8. any other additional data, which was voluntarily submitted by USER in the framework of conclusion and performance of USER AGREEMENT, as well as received by BYNEX from other sources in accordance with this POLICY and Legislation.

1.5. When agreeing with this POLICY USER shall provide consent to BYNEX for performing the following action with USER personal data:

1.5.1. **collection of personal data** during USER identification and verification shall be performed in accordance with requirements of Legislation currently in force;

1.5.2. **systematization, storing, anonymizing of personal data** with the purpose of performing USER AGREEMENT shall be performed in accordance with business processes of cryptoplatform operator in the framework of BYNEX information system, which has undergone technical audit;

1.5.3. **use of personal data** with the purpose of performing obligations under USER AGREEMENT, as well as Legislation. User of personal data shall be limited to purposes specified by this POLICY;

1.5.4. **change, blocking, deletion of personal data** – in the framework of Legislation currently in force, including those upon request of USER or other authorized persons;

1.5.5. **provision and distribution of personal data** – for the purpose of rendering services by cryptoplatform operator in accordance with USER AGREEMENT. Provision of USER personal data is possible only within purposes specified in this POLICY. Distribution of USER personal data is possible only upon request of an authorized person according to Legislation.

## 2. PRINCIPLES OF USER PERSONAL DATA PROCESSING

2.1. BYNEX strives to protect private life of USERS and their confidentiality right when processing personal data regardless of any ways and methods to collect such data taking into account the following standards of their processing:

### 2.1.1. Receipt of consent.

Personal data shall be processed after receiving USER consent based on norms of Legislation. If a USER does not agree with personal data processing, he/she should abstain from using BYNEX cryptoplatform.

### 2.1.2. Lawfulness, fairness, and transparency.

Personal data shall be processed in accordance with Legislation, fairly and transparently for USER.

### 2.1.3. Limitation by purpose.

Personal data shall be collected and processed in order to achieve particular declared in advance lawful purposes.

2.1.3. **Conformity of collected and processed data with specified purposes.** Collection, processing, and use of USER personal data shall be adequate to and in conformity with purposes. BYNEX shall strive to collect minimum information necessary to perform the respective task.

2.1.4. **Limitation of personal data storage period.** USER personal data shall be stored for certain period. If it is not necessary to use stored data any more, BYNEX shall take measures to destroy or stop processing USER personal data within reasonable period taking into account functional and legal requirements related to personal data storage and confidentiality.

2.1.5. **Quality and integrity.** Personal data shall be accurate, reliable, complete and up-to-date for achieving purpose of their processing. Personal data, which are inaccurate shall be deleted or corrected upon USER demand. If necessary BYNEX take measures to change or delete inaccurate or incomplete data.

2.1.6. **Transparency and informing on purposes of personal data collection.** BYNEX openly informs on the fact of USER personal data collection, personal data collection and processing purposes, range

of persons, whose information is collected, use of cookie files, etc.

**2.1.7. Personal data security.** Personal data shall be properly protected from unauthorized access, loss, use, change, and disclosure.

### **3. TYPES OF USER PERSONAL DATA**

#### **3.1. Data independently populated by USERS:**

- Full name;
- Phone number;
- E-mail address;
- Citizenship;
- Date and place of birth;
- Place of residence and (or) stay, copies of proving documents;
- Details and scan of document proving identity;
- Data supplied during video/audio conferences with USER, records of the said video/audio conferences;
- Other data specified by BYNEX in accordance with Legislation.

#### **3.2 Data automatically collected when using services:**

- *Technical data on device and internet connection.* With the help of server logs and other tools BYNEX shall register data on device used by USER, the way the device is connected to cryptoplatform services, including data on operation system, browser version, IP-addresses, and unique identification files. Usually the data are used to obtain anonymous (depersonalized) and aggregate statistics, but it also can be linked with USER account (profile). This information gives possibility to analyze how services are used, and adjust them to USER device so that to simplify and make more comfortable cryptoplatform utilization.
- *Data on service utilization.* When USER uses cryptoplatform functionality, the information on that is registered in server logs. BYNEX shall use the information to prevent service misuse, law offences and crimes, improve services, and ensure display of personalized and relevant content.
- *Location data.* When USER uses cryptoplatform, BYNEX identifies approximate location of USER based on IP-address. This information is used, for example, for statistical research, as well as to display up-to-date data, advertisements, and other personalized content.
- *Cookie files and other locally stored content.* When USER uses cryptoplatform, BYNEX shall use various tools to recognize USER and simplify use of the cryptoplatform. Cookie file is a small file of data (text fragment), which is transferred to USER browser from SITE. Such files contain information, which SITE afterwards may read and simplify for USERS cryptoplatform and its services utilization.

**3.3. Data from other sources.** BYNEX may receive data from other sources, for example, from advertisement partners, resources and tools for collection of third party statistical data, which help to analyze user activities, preferences and improve cryptoplatform services. BYNEX may receive data from partners, for example, on what will be going on after USER presses advertisement banner on SITE. Such information allows evaluating efficiency of banner advertisement and make it more relevant for USERS.

### **4. PURPOSE OF PERSONAL DATA UTILIZATION**

**4.1.** BYNEX shall process USER personal data for USER identification and verification, as well as for other aspects of rendering services of cryptoplatform operator, service improvement and development, as well as for provision of personalized recommendations and proposals, personalized content, prevention of violations attempts, as well as in commercial (advertisement, marketing) purposes. Personal data shall be used for analytical purposes: to understand market trends.

**4.2.** BYNEX shall store information provided by USERS when contacting user support and other services of BYNEX in order to be able to contact USERS and provide answer to their application.

BYNEX shall store all remarks and proposals supplied by USERS to BYNEX as they help to improved services rendered by BYNEX.

**4.3.** BYNEX shall recommend USERS content and services based on their behavior and interests. BYNEX shall also use personal data to setup banner advertisements and other commercial content on SITE according to USER preferences. Based on such information advertisement campaigns will be run. Advertisers placing banner advertisements on SITE can get access to USER personal information and user preferences to display banner advertisement relevant for USER, however it is strictly prohibited for them to use the data in other purposes other than placement of banner advertisement on SITE.

**4.4.** From time to time, BYNEX shall send to USERS marketing letters (mailing) via e-mail or other channels (for instance, in social networks), if USER has not unsubscribed from such mailing. The mailing may contain information on special offers from third parties.

**4.5.** BYNEX shall use personal data of USERS so that to offer personalized services relevant to USER needs and interests, as well as for improvement of SITE interface. Information collected with this purpose shall be aggregated and anonymized. However, this information BYNEX may also use not in anonymous form in solving technical issues that certain USERS come across.

**4.6.** BYNEX shall use technical information and information on USER activities in order to prevent various service violation and criminal activities on SITE. Service violation means fraud, spamming, fishing, offers of sexual nature, attempts to log under other persons accounts (profiles), as well as other actions prohibited by USER AGREEMENT and Legislation.

**4.7.** Purpose of USER personal data processing is also to obtain statistics on tendencies in the segment of BYNEX activities to be used to improve cryptoplatform, as well as to expand range of products and services. The statistics may be collected with the help of analysis perform both by BYNEX and other engaged companies. Such companies shall analyze information confidentially and delete it after completing their task.

**4.8.** Collected personal data may be stored and processed in centralized database in order to understand user activity with regard to all cryptoplatform services.

**4.9.** BYNEX shall collect and process USER personal data in order to comply with Legislation. This includes legislative norms related to money laundering and financing of terrorism. In cases specified by Legislation BYNEX shall be entitled to transfer USER personal data to authorized persons.

## **5. PROVISION OF PERSONAL DATA TO THIRD PARTIES**

**5.1.** USER Personal data may be given to third parties being subcontractors of BYNEX to render BYNEX services, and well as to other companies to be used in the purposes for which the information was collected, and only in purposes specified in this POLICY (in particular, providers of telecom and other information services, financial organizations, payment companies, marketing partners). If possible, the information will be supplied in anonymous (anonymized) form, however, in some cases the information may allow identification.

**5.2.** Personal data may be passed to third parties, for example, when making payments, sending service messages, or when storing information on server of a third party. However, terms and conditions of BYNEX contract with partners and contractors protect USER right for confidentiality and prohibit use of data by the partners and contractors in other purposes.

**5.3.** if there are grounds to believe that law offence of crime was committed by means of the cryptoplatform, personal data of USER and information on the cryptoplatform utilization may be passed to competent in investigation bodies upon official request of such bodies and according to Legislation.

**5.4.** Personal data may be passed to the respective bodies at BYNEX initiative in order to prevent planned law violations or crimes, if there are solid reasons to believe that illegal actions may be performed with regard to third parties or cryptoplatform services.

**5.5.** BYNEX shall be entitled to provide USER personal data to other state bodies in accordance with Legislation requirements, as well as to HTP Administration or HTP Supervisory Board, if necessary.

**5.6.** BYNEX shall not use, sell, hand over, or disclose USER personal data in any other way or with any other purpose, which are not specified in this POLICY, if it is not stipulated by court decision, or in case of prior explicit consent for it.

**5.7.** Of personal data handed over to third parties when BYNEX renders services under contract, such third parties shall be obliged to process the data confidentially, and not use the information in any other purposes.

## **6. USER RIGHTS**

**6.1.** USER shall be entitled:

**6.1.1. To revoke his/ her consent for personal data processing** any time without explaining any reasons.

Within fifteen days after receiving such application BYNEX shall stop processing personal data, delete them and inform USER about it, if there are no other grounds for such actions with personal data specified by Legislation.

If there is no technical possibility to delete personal data BYNEX shall take measures to prevent further personal data processing, including their blocking, and shall inform personal data subject within the same period.

**6.1.2. To receive information related to his/her personal data processing**, containing:

- name (last name, name, middle name (if any) and location (living (staying) address) of operator;
- acknowledgement of the fact of personal data processing by operator (authorized person);
- his/her personal data and source of the data;
- legal ground and purpose of personal data processing;
- period for which his/her consent was given;
- name and location of authorized person being state body, legal entity of Belarus, other organization, if such entity is charge of processing of such personal data;
- other information stipulated by Legislation.

BYNEX within five working days after receipt of the application, if different period is not specified by Legislation, shall provide requested information in accessible form, or inform him/ her on reasons to reject its provision.

**6.1.3. To demand change of his/her personal data if such personal data are incomplete, outdated, or inexact.** For that USER shall submit application accompanied by respective documents and (or) their copies certified in due course that prove necessity to change personal data.

Within fifteen days after receipt of such application BYNEX shall introduce respective changes to his/her personal data and notify the USER or shall notify the USER about reasons to introduce such changes, provided another procedure making changes is not specified by Legislation.

**6.1.4. To obtain information on provision of his/her personal data to third parties** once within a calendar year free of charge, if not otherwise specified by Legislation.

Within fifteen days after receipt of such application, BYNEX shall provide to USER information on which personal data and to whom were supplied within the year preceding the date of application submission, or inform subject of personal data on reasons to refuse providing such information. Information may not be provided in cases stipulated by Legislation.

**6.1.5. To demand free of charge termination of his/her personal data processing**, including their deletion if there is not ground for personal data processing specified by Legislation. However, it does not relate to cases when keeping such data is necessary for reasonable commercial and legal purposes.

Within fifteen days after receipt of such application BYNEX shall stop processing personal data, as well as delete them (ensure termination of personal data processing, as well as their deletion by authorized person) and inform USER about it.

If there is no technical possibility to delete personal data BYNEX shall take measures to prevent further personal data processing, including their blocking, and shall inform USER within the same

period.

BYNEX shall be entitled to refuse USER demand to terminate his/her personal data processing and(or) their deletion if there are grounds for personal data processing specified by Legislation, including the case when they are necessary for declared purpose of the data processing with USER notification within fifteen days period.

**6.1.6. To appeal BYNEX actions in accordance with Legislation.**

**6.2.** In order to realize rights specified by this POLICY and Legislation USER shall give a written application (scan of application) to BYNEX address.

**6.3.** USER application shall contain:

- Last name, name, middle name (if any);
- Living (staying) address;
- Date of birth of personal data subject;
- USER identification number, if such number is absent – number of document proving USER identity;
- Essence of requirements;
- Personal signature or digital signature

**6.4.** If according to USER AGREEMENT cryptoplatform operator cannot provide services without personal data, which USER requests to destroy, BYNEX shall be entitled to stop providing such services unilaterally (data necessary for identification, verification, etc.)

## **7. PERSONAL DATA STORAGE**

**7.1.** BYNEX shall store collected personal data of USER within the whole period of USER AGREEMENT validity for which USER is a party, and within 5 (five) years after expiration of USER AGREEMENT, as the data storage period is required according to Legislation.

**7.2.** USER personal data shall not be stored in cryptoplatform system longer than it is necessary for realization of purposes for which they were collected. When the purposes for which the personal data were collected are reached, storage of the personal data will not be required any longer by Legislation, and BYNEX shall take measures to destroy, aggregate, or anonymize the personal data.

## **8. PERSONAL DATA SECURITY**

**8.1.** BYNEX shall store and process USER personal data by reliable and secure way. BYNEX shall follow procedures, principles and measures, which guarantee USER confidentiality taking into account Legislation requirements.

**8.2.** USER personal data shall be accessed in accordance with BYNEX regulations regarding with risks and information protection.

**8.3.** BYNEX shall continuously improve ways of collection, storage, and processing of USER personal data.

**8.4.** BYNEX shall limit access of its employees, contractors, and partners to USER personal data, as well as impose on them strict contractual obligations, violation of which shall entail responsibility according to legislation.

## **9. CHANGE OF POLICY**

**9.1.** BYNEX undertakes to update POLICY regularly so that to inform USERS on all changes in approach to processing of USERS personal data. If any material changes are adopted, USERS will be informed about them separately. All other changes to Confidentiality Policy shall be reflected on SITE.

**9.2.** If any questions with regard to POLICY arise, USER may contact User Support Service of BYNEX.

## **10. CONTACTS**

**10.1.** Head of group fighting money laundering and terrorism financing shall be an authorized person for ensuring information protection and internal controls with regard to personal data protection.

**10.2.** Electronic address of an officer (department) responsible for ensuring information protections with regard to personal data – **pdata@bynex.io**.

**LIMITED LIABILITY COMPANY “ERPBEL”**

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