



PRIVACY POLICY

WHY IS A PRIVACY POLICY IMPORTANT TO ME?

As part of our day-to-day business we need to collect personal information from our members and prospective members to ensure that we can meet their needs and provide them with information about our services. Your privacy is important to us and it is our policy to respect the confidentiality of information and the privacy of individuals. We are firmly committed to protecting your personal information and maintain high standards to safeguard and protect information in a fair and lawful manner. This Privacy Policy outlines how we manage your personal information supplied to us by you or a third party in connection with our provision of services to you, or which we collect from your use of our services and/or our application process, app(s) or website. This Privacy Policy also details your rights in respect to our processing of your personal information. Any personal information we hold will be governed by our most current Privacy Policy. Note that any external third-party websites to which our website or apps may provide a link are not covered by this Privacy Policy and those sites are not subject to our privacy standards and procedures. Please check with each third party as to their privacy practices and procedures. If you do not agree with the provisions set forth herein, you should not use the services provided by Nadex. Residents of the European Union/European Economic Area should read this Privacy Policy in conjunction with the [GDPR Informational Guide](#) and [Cookie Policy](#) located on the Nadex website.

WHAT PERSONAL INFORMATION DO WE COLLECT?

When you visit the Nadex website, communicate with us, apply for a demo account, apply for membership, access your account or transact as a member of the North American Derivatives Exchange, Inc. (“Nadex”) either on the mobile or desktop platforms, we collect and maintain certain personal non-public information as well as non-identifying information about you.

We may collect the following categories of information about you:

- **Identifiers:** name, alias, address, date of birth, unique personal identifier, online identifier, Internet Protocol (IP) address, email address, account name, social security number/national identification number, driver’s license number, passport number, or other similar identifiers;
- **Customer Records Information:** name, salutation, signature, social security number, address, phone number, passport number, driver’s license or state identification card number, employment, employment history, bank account number, debit card number, other financial information;
- **Commercial Information:** products or services purchased, obtained, or considered for purchase from Nadex, trading performance;
- **Internet or Other Electronic Network Activity Information:** browser types, browsing history, search history, device identifier, ISPs, operating systems, page visits, login data, timestamp, usage, data from cookies,

pixel tags, and web beacons, and information regarding your interaction with the Nadex website, trading platform, application, or advertisements;

- **Geolocation Data;**
- **Audio, Electronic, Visual, or Similar Communication Information;**
- **Professional or Employment-Related Information;**
- **Inferences and Information Relating to Investigations;**
- **Inferences drawn from other personal information:** profile information reflecting a person’s preferences, characteristics, predispositions, and abilities;
- **Identification Verification Documentation:** Copies of identification documents including but not limited to your Driver’s License, State Identification Card, Passport, Social Security Card, Utility Bills, Bank Account Statements/Transaction History or other proof of residential address, corporate documents (if applicable); and
- Any other similar information.

We obtain the personal information listed above from the following categories of sources: from you, directly and indirectly, and from our service providers, business partners, affiliates, consumer reporting agencies, social media networks, and advertising networks. We obtain this information in a number of ways through your use of our services or other dealings with us including through our website, apps, membership application process, demo account applications, webinar sign up forms,

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subscriptions for news updates, any other forms, contact customer service or use other customer support tools, post comments to an online community(ies), provide information to our vendors, visit any page online that displays our ads or content, and from information provided in the course of ongoing customer service and compliance correspondence, and from observing your actions on our website and/or mobile app. We may also collect this information about you from third parties or publicly available sources.

We collect and maintain information you enter into the online application prior to submission of the application, to enable you to complete the application at a later time, and to contact you with news, marketing, and other relevant information.

We also collect and maintain information about your transactions with us, such as your account balance, trading activity and deposit and withdrawal history of your account. This information helps us administer your account and provide you with better service.

We collect and maintain information about you from consumer reporting agencies and other organizations in order to verify your identity and source of funds. We also collect and maintain your personal information in accordance with regulatory requirements and other state and federal requirements based on our status as a Designated Contract Market and Derivatives Clearing Organization doing business in the United States.

We may collect and maintain information about you through your use of our website, apps or through the use of cookies on our website or apps. We also use various Google and Adobe tools such as Google Analytics, Google Ad Manager, Google Search Console, Adobe Analytics, and Adobe Audience Manager to collect and analyze information about how the Nadex website is used. Cookies are small pieces of text that may be placed on your computer's hard drive through your web browser when you access a website. Your browser stores cookies in a manner associated with each website you visit. We use cookies to assist us in securing your trading activities, for analytics purposes, and to enhance the performance of our website. For additional information on the types of cookies Nadex uses and how they are used, please see the [Cookie Policy](#) on the Nadex website.

When you use or connect to a Nadex website or download a mobile app by or through a third party platform, such as Facebook or other social networking site, you allow us to access and/or collect certain information from your third party platform profile/account (such as your Facebook account) or via any cookies placed on your device by such third party platform as permitted by the terms of the agreement and your privacy settings with the third party platform.

We will share such information with the third-party platform for their use as permitted by the terms of the agreement and your privacy setting with the third-party platform.

Additionally, we may record any communications, electronic, by telephone, in person or otherwise, that we have with you in relation to the services we provide to you and our relationship with you. These recordings will be our sole property and will constitute evidence of the communications between us. Such communications may be recorded without the use of a warning tone or any other further notice.

By using any part of the Nadex System, as that term is defined in the Nadex Membership Agreement, or by entering your personal information in the membership application, you hereby consent to the transfer of your personal information to the United States of America for the purpose(s) described in this Privacy Policy, and to the processing of your information, which may take place inside or outside of the United States, for the purposes described in this Privacy Policy. You may withdraw your consent by submitting a request to compliance@nadex.com. In the event you withdraw consent, your personal information will be retained in accordance with applicable United States laws and regulations and/or group-wide recordkeeping policies. If you choose to withdraw consent, or to not provide the information we need to fulfill your request for a specific product or service, we may not be able to provide you with the requested product or service.

HOW DOES NADEX USE MY PERSONAL INFORMATION?

Nadex has a number of legitimate interests which support the processing and use of your personal information. Additional information regarding Nadex's legitimate interests can be found on the GDPR Informational Guide located on the Nadex website. Nadex may use your personal information for the following non-exclusive purposes:

- To verify your identity and establish and manage your account;
- To provide you with advertisements, communications, and offers for or information about products and services from Nadex or Nadex's Affiliates, and to review your ongoing needs;
- To help us improve our products and services, including customer services, and develop and market new products and services;
- To evaluate your eligibility for certain types of offers, products or services that may be of interest to you, and analyze advertising effectiveness;
- To answer your questions and respond to your requests;

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- To market, perform analytics, data analysis, send you surveys, and conduct consumer research;
- To send you reminders, technical notices, updates, security alerts, support and administrative messages, service bulletins, marketing messages, and requested information, including on behalf of Nadex's Affiliates;
- To form a profile about you;
- To investigate or settle inquiries or disputes, or to investigate member compliance with Exchanges rules;
- To comply with applicable law, court order, other judicial process, or the requirements of any applicable regulatory authorities;
- Internal business purposes and record keeping;
- Corporate restructuring; and
- Security.

OUR BUSINESS PURPOSES FOR COLLECTING PERSONAL INFORMATION

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information.
- To fulfill our regulatory obligations as an exchange and clearinghouse.
- To provide, support, personalize, and develop our website or mobile app, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website or app experience and to deliver content and product and service offerings relevant to your interests, including targeted offers through our website or mobile app, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website or mobile app, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our websites, app, products and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.

- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Nadex's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Nadex about our website or mobile app users is among the assets transferred.

TO WHOM MAY WE DISCLOSE PERSONAL INFORMATION?

Unless you are informed otherwise, the personal information we hold is used for establishing and managing your account, executing transactions that you initiate, regulatory or compliance purposes, reviewing your ongoing needs, enhancing our customer service and products, and giving you ongoing information or opportunities that we believe may be relevant to you. We may also use your personal information for business planning purposes including product development and internal research. Nadex may disclose your personal information to certain affiliated and non-affiliated third parties, which include both financial services providers and non-financial companies, who perform valuable services for us or on behalf of us, in order to provide you with the best possible trading experience, or with whom we have marketing agreements.

When we share personal information with companies working on behalf of Nadex, we generally enter into a contractual agreement with the third party requiring it to maintain the confidentiality of your personal information and prohibiting it from using or disclosing your information, except for the limited purpose and to the persons for whom disclosure was intended and as otherwise permitted by law. Nadex shares personal information with third parties in the following non-exclusive circumstances:

- We may disclose information to companies that assist us in processing all of the transactions that occur within your account and on Nadex, and/or that provide other services including, but not limited to, identification verification, bank account verification, and for security purposes.
- Affiliate companies, including Nadex's parent, IG Group and its subsidiary entities, who provide financial and other services that may be of interest to you.
- Information may be disclosed to third parties if disclosure is necessary to comply with legal or regulatory requirements or processes, or to protect the rights, property, or personal safety of Nadex, its Members or the public, or with third parties who have entered into an

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information sharing agreement with Nadex in accordance with, or as directed by regulatory statute.

- We will share some of the information we collect from you upon submission of and/or completion of any field in the Nadex Membership Application, and/or installation of the mobile app, with vendors and other service providers who are engaged by or working with us in connection with the operation of services we provide to you and/or for analytics purposes which may require the reproduction and display of such information in an aggregated and anonymized manner such that it will not in any way identify you.
- We may share information with third-party payment verification and processing services, including but not limited to Plaid Technologies, Inc. (“Plaid”) which verifies your bank account and confirms your bank account balance prior to approving a transaction. We only share your information with Plaid in accordance with this Privacy Policy. Information shared with Plaid is treated by Plaid in accordance with its Privacy Policy, available at <https://plaid.com/legal/>.
- Information may be disclosed about you to the Commodity Futures Trading Commission (“Commission”) in order to comply with our reporting obligations under the Commission Regulations.
- Information may also be disclosed about you to your employer if you are employed by or affiliated with another exchange, regulatory body, FINRA or NFA member. Such entities may be required to monitor your trading activity as defined under applicable securities and commodities laws.
- Information may be disclosed with your consent.
- Nadex may also disclose non-identifiable information for the same reasons we might share personal information, with Affiliates for their own analysis and research, to facilitate targeted content and ads, and to analyze the effectiveness of those ads.

DISCLOSURES OF PERSONAL INFORMATION FOR A BUSINESS PURPOSE:

In the preceding twelve (12) months, Nadex has disclosed the following categories of personal information for a business purpose to the following categories of affiliates and non-affiliated third parties:

- Identifiers
- Customer Records Information
- Commercial Information

- Internet or Other Electronic Network Activity Information
- Geolocation Data
- Audio, Electronic, Visual, or Similar Communication Information
- Professional or Employment-Related Information
- Inferences and Information Relating to Investigations
- Identification Verification Documentation

CALIFORNIA RESIDENTS RIGHTS REGARDING PERSONAL INFORMATION

If you are a California resident, you have certain rights with regard to your personal information:

- You have the right to request, up to two times every 12 months, (i) the categories of personal information Nadex has collected about you; (ii) the categories of sources from which Nadex has collected personal information about you; (iii) the business or commercial purpose for collecting or selling your personal information; (iv) the categories of third-parties with whom Nadex shares personal information; (v) the specific pieces of personal information Nadex has collected about you; (vi) the categories of personal information that Nadex has sold about you and the categories of third-parties to whom the personal information was sold; (vii) the categories of personal information that Nadex disclosed about you for a business purpose and the categories of third-parties to whom the personal information was disclosed for a business purpose;
- You have the right to request that Nadex delete your personal information that we collected from you and retained, subject to certain exceptions allowed under applicable law;
- You have the right to opt-out of the sale of your personal information to third parties by sending an email request to opt-out@nadex.com.
- You have the right not to be discriminated against for exercising your rights under the California Consumer Privacy Act.

To submit a consumer request, please contact compliance@nadex.com or call (877) 776-2339 toll-free. Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf (an “**Authorized Representative**”), may make a consumer request related to your personal information. You may also make a consumer request on behalf of your minor child. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority

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to make the request and confirm the personal information relates to you. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an Authorized Representative. Before completing your request to exercise the below, we will verify that the request came from you by asking you one or more knowledge-based questions about you.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

AM I ABLE TO OPT-OUT?

The law allows you to “opt-out” of our information sharing with certain kinds of third parties. This means that you can ask us not to share your personal information with certain affiliated and non-affiliated companies.

You may opt-out of the sharing of your information for non-essential purposes by sending an email request to opt-out@nadex.com. In order to opt-out you may need to disable certain cookies in your browser. Your choice to opt-out of information sharing (other than those permitted or required by law) does not limit our ability to collect and disclose information about you, under the terms of this Privacy Policy, for other vendors.

Additionally, you may opt-out of direct marketing emails and/or text messages by responding to the communication with “unsubscribe” (emails) or “STOP” (text messages).

In the preceding twelve (12) months, Nadex has sold, as defined by the California Consumer Privacy Act, the following categories of personal information to our affiliates:

- Identifiers
- Customer Records Information

WHAT IF I WANT TO REVIEW OR CHANGE ANY OF MY PERSONAL/NON-PUBLIC INFORMATION?

The accuracy of your personal information is important to us. If the personal information we hold about you is inaccurate or incomplete, you are entitled to have it rectified. If you are a Nadex Member and would like to correct, update, or confirm your information, please log into the platform using your username and password. After logging in, under the My Account tab, follow the

instructions under the ‘Settings’ and ‘Personal Details’ tabs. Certain information may require documentation for verification.

HOW DOES NADEX STORE MY PERSONAL INFORMATION AND FOR HOW LONG?

Safeguarding the privacy of your information is important to us, whether you interact with us personally, by phone, by mail, over the internet or any other electronic medium. We hold personal information in a combination of secure computer storage facilities and paper-based files and other records, and take steps to protect the personal information we hold from misuse, loss, unauthorized access, modification or disclosure.

When we consider that personal information is no longer needed we will remove any details that will identify you or we will securely destroy the records. However, we may need to maintain records for a significant period of time to comply with various regulatory obligations. For example, we are subject to certain regulatory requirements that oblige us to retain information, such as your application data, documents used to verify your identity or banking information, and supporting evidence and records of your transactions, for a period of five years after our business relationship with you has ended. It is Nadex’s policy that it will retain certain records for a longer period of time, 12 years after our business relationship with you had ended, in accordance with our global requirements associated with our parent company, IG Group. If we hold any personal information in the form of recorded communications we will hold this in line with regulatory requirements, five years after our business relationship with you has ended. Where you have opted-out of marketing communications, we will hold your details so we know you do not want to receive these communications.

CAN I REQUEST MY PERSONAL INFORMATION BE ERASED?

You can ask us to delete or remove your personal information in certain circumstances, such as where we no longer need it or you withdraw your consent (where applicable) provided that we have no legal or regulatory obligation to retain that data. Such request will be subject to any retention limits with which we are required to comply in accordance with applicable laws and regulations and subject to this Privacy Policy.

HOW DOES NADEX PROTECT MY PERSONAL INFORMATION?

We have made a significant investment in leading-edge security software systems, and procedures to offer you a safe and secure trading environment and protect your personal, financial and trading information. While no security system is absolutely impenetrable, we are constantly reviewing, refining, and upgrading

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our security technology, as new tools become available. When you open an account with us, you are asked to choose a unique username and password to access and secure your account and account information. Remember: you are ultimately responsible for maintaining the secrecy of your username and password. We strongly recommend that you do not disclose this information.

On our trading portal, we also use technology to encrypt information transmitted by or to you through our website. In order to maximize the benefits of this technology, we recommend that you utilize a browser with strong encryption capabilities. Nadex may provide links to various educational or newsworthy third parties. When you follow a link to a non-Nadex website, you will be notified that you are leaving the Nadex website and that the website you are about to visit is not endorsed by Nadex. These other websites are not within Nadex's control, and Nadex does not guarantee the accuracy or completeness of any information on these websites.

Be aware that the privacy protection provided to you on the Nadex website does not extend to any other website. Once you link to another site, you are subject to the policies of that site.

NOTICE OF FINANCIAL INCENTIVE

Nadex may, from time to time, offer you certain promotions, rewards, and discount programs ("Promotions") that may be considered financial incentives programs under the CCPA. Eligible members may receive a bonus or discounted fees for fulfilling the requirements of Promotions, the details of which will be provided at the time you sign up for the Promotions, or otherwise enter the Promotions, if you are eligible. Participation in our Promotions is voluntary, and requires your prior opt in consent, which may include accessing the Nadex website, including the application, Promotion entry page, and trading platform, via a designated link specific to a particular Promotion. If you elect to participate, you may do so by performing certain voluntary interactions with us, our website, your Nadex account, or the Nadex trading platform, as detailed in the Promotions' Terms and Conditions. While we will not discriminate against you for exercising your rights under CCPA, if you request deletion of your data and have not met the Promotions requirements to be entitled to compensation, any accumulated rewards will be deleted and you may not have access to continued bonuses, discounts and benefits of membership. You may cancel membership at any time, subject to the terms and conditions of the Membership Agreement.

Nadex requires minimal personal information in order to provide the benefits of the Promotions to eligible participants, including the following categories of personal information: Identifiers, Customer

Records Information, Commercial Information, and Identification Verification Documentation. Nadex uses the personal information of eligible participants to provide the benefits and to further our business in accordance with our Privacy Policy. The value Nadex receives from our Promotions (and its incidental collection of consumer personal information) includes the profits generated by, and the consumer good will and consumer relationship established through, the offering of the Nadex Promotions, and taking into account the costs to Nadex to provide and maintain our Promotions.

If you elect to participate in a Nadex Promotion, you may find out more about the specific terms of your participation by requesting this information from us at compliance@nadex.com.

WHAT IF THERE ARE MATERIAL CHANGES MADE TO THIS PRIVACY POLICY?

If at any time in the future material changes are made to this Privacy Policy, we will notify you by email to the email address specified in your account and/or through a notice on our website's home page.

WHAT IF I HAVE A QUESTION OR COMPLAINT?

Should you have any questions or concerns about the Nadex Privacy Policy, or wish to make a complaint, please email us at compliance@nadex.com.

WHAT IS THE EFFECTIVE DATE OF THE NADEX PRIVACY POLICY?

This Privacy Policy was amended as of April 19, 2021.

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