



PRIVACY POLICY

GDPR INFORMATIONAL GUIDE

On May 25, 2018, a new European Union (“EU”) data protection law, the General Data Protection Regulation (“GDPR”) becomes effective. GDPR aims to standardize data protection laws across EU member countries, increase transparency as to how your personal information is being used, increase privacy, and extend data rights for EU residents. For individuals residing in the European Union, this document should be read in conjunction with the Nadex Privacy Policy and Cookie Policy.

HOW DOES NADEX USE MY PERSONAL INFORMATION?

Nadex has a number of legitimate interests which support the lawful basis for the processing and use of your personal information. Nadex may use your personal information for the following non-exclusive purposes:

- **To verify your identity and to establish and manage your account:** In order to become a member of Nadex, we will need to verify your identity and use those details in order to effectively manage your account with us, to ensure you are receiving the best possible service from us. This may include third parties carrying out identity and background checks on our behalf. It is not only in our legitimate interest to do so, but the use of your personal information in this way is necessary for us to know who you are as we have a legal obligation to comply with certain Know Your Customer and customer due diligence regulatory obligations.
- **To provide you with products and services, or information about our products and services, and to review your ongoing needs:** Once you apply for an account or subscribe to a webinar, we will need to use your personal information to perform our services and comply with our obligations to you. It is also in our legitimate interests to ensure that we are providing the best products and services so we may periodically review your needs to ensure that you are getting the benefit of the best possible products and services from us.
- **To help us improve our products and services, including customer service, and develop and market new products and services:** We may from time to time use personal information provided by you through your use of the services and/or through customer surveys to help us improve our products and services. It is in our legitimate interests for us to use your personal information in this way to ensure that we provide you with the best products and services we can and to continue to be a market leader in our industry.
- **To form a profile about you:** We may from time to time use personal information about you to form profiles about you so that we can understand you and provide the very best products and services we can. We may also make decisions about you through automated profiling or automated identification/background checks which may affect your ability to use our services. We may need to do this either to perform our legal obligations or because it is on our legitimate interest to use your personal information in such a way.
- **To investigate or settle inquiries or disputes:** We may need to use personal information collected from you to investigate issues and/or settle disputes with you as it is in our legitimate interest to ensure market participants are complying with the Exchange Rules, and that issues and/or disputes get investigated and resolved as quickly and efficiently as possible.
- **To comply with applicable law, court order, other judicial process, or the requirements of any applicable**

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regulatory authorities: We may need to use your personal information to comply with applicable law, court order or other judicial process, or the requirements of any applicable regulatory authority. We do this not only to comply with our legal and regulatory obligations as a registered designated contract market (“DCM”) and derivatives clearing organization (“DCO”) but because it may also be in our legitimate interest to do so.

- **To send you surveys:** From time to time, we may send you surveys as part of our customer feedback process and it is in our legitimate interest to ask for feedback to ensure that we provide the best service to you. However, we may from time to time also ask you to participate in other surveys and if you agree to participate in such surveys we rely on your consent to use the personal information we collect as part of such survey. All responses to any survey we send out whether for customer feedback or otherwise will be aggregated and depersonalized before survey results are shared with any third parties.
- **Data analysis:** Our web pages and emails may contain web beacons or pixel tags or any other similar type of data analysis tools which allow us to track receipt of correspondence and to count the number of users that have visited our webpage or opened our correspondence. Where your personal information is completely anonymized, we do not require a legal basis as the information will no longer constitute personal information. However, where your personal information is not in an anonymized form, it is in our legitimate interest to continually evaluate that personal information to ensure that the products and services we provide are relevant to the market.
- **Marketing by us:** We may use your personal information to send you marketing communications by email or phone or other agreed forms (including social media campaigns) to ensure that you are always kept up to date with our latest products and services. Where we send you marketing communications we will either do so as it is in our legitimate interest or with your consent.
- **Internal business purposes and record keeping:** We may need to process your personal information for internal business and research purposes and record keeping purposes. Such processing is in our legitimate interest and is required in order to comply with our legal obligations. This may include any communications that we have with you in relation to the services we provide to you and our relationship with you. We will also keep records to ensure that you comply with your obligations under any contract you have entered into with us.
- **Corporate restructuring:** If we undergo a corporate restructure or part or all of our business is acquired by a third party, we may need to use your personal information in association with that restructure or acquisition. Such use may involve disclosing your details as part of a due diligence exercise. It is our legitimate interest to use your information in this way, provided we comply with any legal obligation we have to you.
- **Security:** If you enter any of our premises, your image may be recorded for security reasons. We may also take your details to keep a record of who has entered our premises on any given day. It is in our legitimate interest to do this to maintain a safe and secure working environment.

WHAT RIGHTS AM I AFFORDED UNDER THE GDPR?

Under GDPR you have the following rights, which are subject to any legal or regulatory obligations with which Nadex must comply, and any other provisions set forth in the Privacy Policy:

- request to object, suppress, or postpone the processing of your personal information;
- withdraw consent, where applicable;
- request confirmation of the processing of your personal information and a copy of that personal information (reasonable administrative fee may be charged);
- obtain, in certain circumstances, personal information you have provided Nadex in a structured, commonly used and machine readable format, and to reuse it elsewhere or ask us to transfer this to a third party of your choice;

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- request human intervention in instances where automated decision-making has taken place based on your information;
- rectify inaccurate or incomplete personal information we hold about you;
- request that Nadex delete or remove your personal information;
- object to direct marketing messages;
- lodge a complaint with a supervisory authority.

HOW CAN I WITHDRAW MY CONSENT TO INFORMATION PROCESSING?

If we rely on your consent as our sole legal basis for the processing of your personal information, as opposed to Nadex's legitimate interest, you can withdraw consent at any time by contacting us using the contact details set out in this Guide or the Privacy Policy.

You can request that we stop processing your personal information if we are:

- relying on our own or someone else's legitimate interests to process your personal information except if we can demonstrate compelling legal grounds for the processing;
- processing your personal information for direct marketing; or
- processing your personal information for research unless such processing is necessary for the performance of a task carried out by the public interest.

HOW CAN I REQUEST HUMAN INTERVENTION WHERE AN AUTOMATED DECISION HAS BEEN MADE ABOUT ME?

If we have made a decision about you based solely on an automated process that affects your ability to use the services or has another significant effect on you, you can ask to not be subject to such a decision unless we can demonstrate to you that such decision is necessary for entering into, or the performance of, a contract between you and us by contacting compliance@nadex.com. Even where a decision is necessary for entering into or performing a contract you may contest the decision and require human intervention.

HOW 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 obligation to retain that data. Such request will be subject to any retention limits we are required to comply with in accordance with applicable laws and regulations and subject to this Privacy Policy, and can be made by emailing compliance@nadex.com. If we have shared your personal information with others, we will let them know about the erasure request where possible. If you ask us, where possible and lawful to do so, we will also tell you with whom we have shared your personal information so that you can contact them directly.

WHO CAN I CONTACT WITH QUESTIONS REGARDING MY PERSONAL INFORMATION, THE PRIVACY POLICY, OR TO MAKE A COMPLAINT?

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

Nadex has appointed a Data Protection Officer within the IG Group who can be contacted at 020 7896 0011.

Additionally, you have the right to contact the Information Commissioner's Office at 0303 123 1113 or on their website at <https://ico.org.uk/concerns/>.

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