

Privacy Notice

This notice describes how HDR Global Trading Limited and its affiliates (referred to as “HDR Group”, “we” or “us” in this notice) will collect, make use of and share (i.e. “process”) your personal data in connection with the BitMEX (an affiliate) website, apps and services (including API services). For the purposes of this notice, the term “affiliate” shall mean any entity, individual, firm, or corporation, directly or indirectly, through one or more intermediaries, controlling, controlled by, or under common control with HDR Global Trading Limited.

This notice also describes data protection rights you may have (depending on applicable law), such as a right to object to some of the processing which the HDR Group carries out. More information about your rights, and how to exercise them, is set out in the “Your rights” section

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1. Who is responsible for your personal information?

Name: HDR Global Trading Limited, Suite 202, 2nd Floor, Eden Plaza, Eden Island, Mahe, Seychelles.

Privacy Officer contact details: privacy@bitmex.com

Applicable jurisdictions:

1. For users not based in the UK or the EU, please refer to the Personal Data Protection Commission (PDPC) in Singapore:

Address: 10 Pasir Panjang Road, #03-01 Mapletree Business City Singapore 117438

PDPC website: <https://www.pdpc.gov.sg/>

2. For the UK please refer to the Information Commissioner's Office (ICO).

Address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

ICO website: <https://www.ico.org.uk>

3. For the EU please refer to the Data Protection Commission (DPC)

Address: 21 Fitzwilliam Square South, Dublin 2, D02 RD28 Ireland

DPC website: <https://www.dataprotection.ie/>

Our UK representative:

Privacy Culture Limited

Address: Bouverie House, 154-160 Fleet Street, London, EC4A 2DQ

Email: privacy@bitmex.com

Our EU representative:

Pembroke Privacy Limited

Address: 3-4 Upper Pembroke Street, Dublin 2

Email: info@pembrokeprivacy.com

4. For users based in Hong Kong, please refer to the Office of the Privacy Commissioner for Personal Data (PCPD)

Address: Unit 1303, 13/F, Dah Sing Financial Centre, 248 Queen's Road East, Wanchai, Hong Kong.

We operate as a data controller when managing personal data that relates to the categories of data subject outlined below, our employees and internal operations.

We operate as a data processor when managing personal data on behalf of our customers.

2. What personal information do we collect?

We process personal data about you when you interact with us, our websites, our apps or our services (including API services).

This includes:

- Your name, email address, username, password and other login and/or security details (e.g. app passcode, two-factor authentication token seed record, public PGP key), and login records.
- Your payment details, including your wallet address(es).
- Your account and portfolio details, such as live and historical orders, trades and positions, and balances.

- Your site and account preferences, including site notification, sounds and confirmation dialogs and leaderboard preferences.
- Any personal data you submit for ID verification purposes, and your self-reported location (including browser location and other proof of address information) plus the geolocation of the IP address you connect from.
- Your marketing and other communication preferences, and a record of any consents you have given us.
- Information related to the browser or device you use to access our website or apps, as well as data that tells us which features of the website or app are popular, or suffer from issues we need to fix.
- The content and details (e.g. date) of messages you post in chatrooms (Trollbox), or that you send us (e.g. customer support queries).
- Customer service notes and other records.

We will aim to mark data fields as optional or mandatory when collecting personal data from you via forms. Note, in particular, that to create an account, engage in transactions, and where necessary, prove your identity, the provision of personal data is typically mandatory: if relevant data is not provided, then we will not be able to do these things and provide the services you expect.

We do not collect fingerprints, facial recognition data, or other biometrics, other than photos and/or videos of yourself and/or your photo ID that you submit during our ID verification processes and which may be processed by facial recognition software for that purpose. Where you enable biometric security (such as fingerprint or Face ID login), your biometrics will be handled by your device, not by us.

3. How do we collect your personal information?

a) Information directly provided when you:

- Navigate BitMEX website or mobile app.
- Do a transaction on BitMEX web or mobile app.
- Register to create a new account or log in to your account.
- Interact with our customer services team.

b) Information we collect from third parties:

- When Yubico Cloud refers you to us (for example, we receive data about the service you used, and that referred you). We will receive confirmation from Yubico Cloud that you have successfully authenticated using a Yubikey registered with that service.
- Third parties may monitor the Web on our behalf, for example looking for stolen usernames and passwords.
- Our communications service provider may also enable us to learn more about your social media presence, in order for us to send you more personalised communications.

- Records of trades and transactions from other exchanges and trading platforms to help us monitor exchange rates and market performance.
- Some authorities or other persons seeking access to information about users may provide information about the circumstances of their request, and about the individuals of interest

4. Why do we collect and use your personal information?

We collect and use your data only for the following purposes:

- a) To fulfil a contractual obligation when we:
- Creating your account.
 - Verifying your identity.
 - Taking deposits and fees, and paying out withdrawals.
 - Allowing you to make trades, maintaining your account and trading history, and closing, auto-deleveraging, and/or liquidating positions in accordance with our published policies and terms of service.
 - Communicating with you.
 - Providing customer services.
- b) As required by the HDR Group or third parties to conduct their business and pursue their other legitimate interests, in particular:
- To provide services you have requested.
 - To monitor, improve and protect the services on our website and apps, in particular by looking at how they are used, testing alternatives (e.g. by "A/B testing", and running "beta" version trials), and by learning from feedback and comments you provide.
 - To personalise our website, apps and services.
 - By publishing de-identified records of market data, including trading records, on <https://public.bitmex.com>, for third party monitoring and research purposes.
 - To monitor customer accounts to prevent, investigate and/or report misconduct such as spam, misrepresentation, security incidents, market manipulation or crime (such as fraud), in accordance with applicable law, and to cooperate with authorities seeking to do the same.
 - To investigate any complaints received from you or from others.
 - In connection with legal claims, compliance, regulatory or investigative purposes (including disclosure in connection with legal process or litigation).
 - To invite individuals to take part in market research and beta tests.

In certain circumstances we may provide you with information about any services or events we think may be of interest to you. Where we provide you with marketing information, you will be provided with an option to opt out of any future marketing communications.

API usage and behaviour is monitored in order to protect our systems and to uphold our terms of service.

- c) To comply with legal obligations:
 - We use and retain your personal information to prevent, detect, mitigate and investigate fraudulent or illegal activities.
 - In response to requests by relevant courts and public authorities, such as those conducting an investigation.

- d) Where you give us consent (so far as that consent is required):
 - We place cookies, monitor email engagement, and use other similar technologies in accordance with our Cookies Notice and the information provided to you when those technologies are used.
 - Automated decision-making may be employed to manage your account's API access or rate limit permits based on your API usage and trading behaviour (this may include limiting or preventing access and activity on your account).
 - On other occasions where we ask you for consent, we will use the data for the purpose which we explain at that time.

Wherever we rely on your consent, you will always be able to withdraw that consent, although we may have other legal grounds for processing your data for other purposes, such as those set out above. In some cases, we are able to send or display marketing without your consent.

You have an absolute right to opt-out of direct marketing, or profiling we carry out for direct marketing, at any time. You can do this by following the instructions in the communication where this is an electronic message, changing your account settings, or by contacting us using the details set out below.

5. Your data protection rights

Under Data Protection laws you are entitled to exercise the following rights:

- Access: you have the right to request access to and/or a copy of your personal information;
- Rectification: you have the right to ask us to modify your personal information if you think it is inaccurate or incomplete. Please do not hesitate to contact us, so that we can keep your personal information up-to-date;
- Erasure: you have the right to request the deletion of the personal information we hold about you;
- Restriction: you have the right to ask us to limit the processing of your personal information;
- Data Portability: you have the right to request that your personal information is provided to you in a machine-readable format and directly transmitted to another controller if the processing is based on consent or contract;
- Object: you have the right to object to the processing of your personal information if it is based on legitimate or public interest;
- Automated decision-making: you have the right not to be subject to decisions based only on automated processing;
- Consent: you can withdraw your consent at any time by contacting our Privacy Officer at privacy@bitmex.com.

You may exercise your rights at any time by sending an email to privacy@bitmex.com.

6. How long do we retain your personal data?

Where we process personal data in connection with performing an agreement with you, we keep the data for 6 years from your last interaction with us.

Where we process personal data for marketing purposes or with your consent, we process the data until you ask us to stop and for a short period after this (to allow us to implement your requests). We also keep a record of that request indefinitely, so that we can continue to respect your request in future.

Where we process personal data for site security purposes, we retain it for 3 years. Longer retention periods may apply, such as where ongoing access to records continues to be important to our defence of legal claims or where we are required by law or regulation to retain information for specific periods.

7. Do we share your personal information?

We share your data with:

- Data between HDR Group companies so they can help deliver and improve our services, run our business, and comply with our legal obligations and related third party requests.

- Third party participants in our affiliate programme (or any other successor or parallel programme of a similar nature) who referred you to our site (so they can track successful referrals).
- Third parties in relation to services that can be accessed through or referred by BitMEX, including partners for promotions or service integrations.
- Information on historical trades may also be shared with other trading platforms and exchanges.
- Where you are a Visitor in accordance with the BitMEX Affiliate Programme [Terms of Service](#), your pseudonymised data, including trading activity, may be shared with your respective “referrer”.
- Courts or public authorities if required as described above, mandated by law or regulation, or required for the legal protection of our or third party legitimate interests, in compliance with applicable laws and regulations, and relevant / competent public authorities’ requests.

Personal data will also be accessed by employees or contractors, or shared with third party service providers, who will process it on our behalf for the purposes identified above.

When sharing data with third parties, we will ensure that appropriate data sharing agreements are in place.

In the event that the business is sold or integrated with another business, your details will be disclosed to our advisers and any prospective purchaser’s advisers, and to the new owners of the business.

Further details on selected third parties can be found: [here](#)

8. International transfers

Where your personal data is being transferred to countries outside the EEA and or UK either by us or by third party service providers acting on our behalf, we will ensure that those transfers are adequately protected, by putting in place the necessary organisational and technical measures, and guarantee the lawful processing of your personal information in accordance with the relevant law.

9. Security

We take all appropriate technical and organisational measures to ensure that your personal information is protected, in compliance with our legal obligations. We protect your information using measures that reduce the risks of loss, misuse, unauthorised access, disclosure and alteration.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

10. Cookies

Cookies are small text files downloaded on your computer when you visit web pages. We use cookies, web beacons and similar technologies to collect information about the pages you view, the links you click and other actions you take on our Services, within our advertising or e-mail content.

To make full use of the BitMEX website, apps and services (including API services), your computer, tablet or mobile phone will need to accept cookies, as we can only provide you with certain personalised features of this website by using them.

For more information on how we use cookies please go to the dedicated page ([link](#)).

11. Privacy Notice updates

We may revise this Privacy Notice from time to time. If we make a change to this notice that we consider material, we will take steps to notify users by a notice on the website and/or app. Your continued use of the BitMEX website, apps and services (including API services) will be subject to the updated Privacy Notice.

This notice was last updated in November 2023.

12. How to contact us

If you have any questions or concerns about how we process your data, including if you would like to exercise any rights (e.g. to opt out of direct marketing), you can get in touch with our contact point for privacy queries at privacy@bitmex.com.