

Privacy Policy

Last updated on **5th April2023**

This Privacy Policy applies to Gate.MT website www.gatemt.com and every mobile application associated with it.

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1. Introduction

This Privacy Policy (“Policy”) is designed to help you understand how Gate.MT (“us”, “we” or “our”) collects, uses and safeguards the information you provide to us and to assist you in making informed decisions regarding your personal information when using our trading platform.

We recognize that information privacy is an ongoing responsibility and so we will from time to time update this Privacy Policy as we undertake new personal data practices or adopt new privacy policies. We respect our users’ privacy, and we are committed to maintaining robust privacy protections in compliance with applicable privacy laws – notably:

- General Data Protection Regulation (EU) 2016/679 (“GDPR”)
- Maltese Data Protection Act (Chapter 586 of the Laws of Malta)
- Any other data protection legislations in the territory or market of operation.

This Policy applies where we are acting as a data controller with respect to personal information; in other words, where we determine the purposes for which personal information is processed and the means of such processing.

This Policy does not apply to third-party websites (e.g., referral websites) or online/mobile stores from which you install our mobile

application (“App”), which may also collect and use data about you. We are not responsible for any of the data collected by any such third-party.

In this Privacy Policy, “Site” refers to our websites operated by Gate.MT including www.gatemt.com, any associated mobile applications and APIs, any related software, forums, blogs, social media pages and other relevant platforms operated or maintained by Gate.MT (collectively the “Sites”).

“Services” refers to the services we offer (e.g., Spot Trading) through our Site or App.

“You” and derivatives of the word “you” refer to you, as a user and/or visitor of our Site or our Service.

“Personal data” is information that can identify an individual (i.e., you), either directly or when combined with other data.

By visiting our Site or using our Services, you agree to be bound by this Privacy PolicyPolicyPolicy

2. Our details

With respect to this domain, the primary responsible entity is Gate Technology Ltd.

We are registered in Malta under registration number C89337, and our registered office is at:

The Penthouse,
Carolina Court,
Giuseppe Cali Street,
Ta' Xbiex, XBX 1425
Malta

You can contact us:

(a) By post, to the postal address given above

(b) By email at privacy@gatemt.com

3. Information we collect about you and source

While using our Site or App, we may collect, store and process different kinds of personal data about you which we have categorised below.

Our Services are not directed to anyone under the age of 18. Our Site or App do not knowingly collect or solicit information from anyone under the age of 18 or allow anyone under the age of 18 to sign up for the Service. If we learn that we have gathered personal information from anyone under the age of 18, we will delete the information as soon as possible. If you believe we have collected such information, please contact us at privacy@gatemt.com.

“Contact data” includes your full name, email address, residential address, mobile number. The source of the contact data is you.

“Account data” includes your full name, email address, mobile number, date of birth, place of birth, nationality, national I.D. or passport number, residential address, website settings and marketing preferences. The primary source of account data is you.

“Identification and verification data” (Anti–Money Laundering/Due Diligence/KYC data) includes full name, email address, mobile number, date of birth, place of birth, nationality, national I.D., passport or other forms of identification, residential address, proof of address, a recent photo (selfie), employment status, source of funds and/or wealth and related documentation, gross annual income and proof of wallet ownership. The primary source of identification and verification data is you.

“Transaction data” includes crypto and FIAT payments to and from you (both successful and failed deposits and withdrawals), coin pairs (e.g., BTC/ETH), date and time of transactions, account balances, source and destination wallet data, and other details of Services that you enter with us and/or through our Site or App. The source of the transaction data is you and our FIAT payment services provider.

“Financial data” includes source of funds and/or wealth and related documentation, account balances, and other financial related data. The primary source of identification and verification data is you.

“Usage data” (analytics data) may include your IP address, geographical location, browser type and version, device type and model, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. The source of the usage data is Google Analytics.

“Marketing and communication data” (calls, emails or chats) includes the communication content and the metadata associated with the communication that you send to us or that we send to you. It also includes your marketing communication preferences.

“Special categories of personal data” includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. We do **NOT** collect any special categories of personal data about you. However, we may not exclude that you, at your own discretion, send us such data in communication with us.

4. How we use information

We have set out below the purposes for which we may process your personal data and the legal basis of the processing. We have also identified what our legitimate interests are where appropriate.

Purpose	Category of Personal Data	Legal Basis
To register you as a new customer allowing you to access and use the website's functionalities	<ul style="list-style-type: none"> • Contact data • Account data • Identification and verification data 	Performance of a contract
To fulfil AML/CFT and due diligence requirements	<ul style="list-style-type: none"> • Contact data • Account data • Identification and verification data 	Compliance with a legal obligation
To fulfil legal, tax and accounting obligations (e.g., reporting to tax authorities)	<ul style="list-style-type: none"> • Transaction data • Financial data 	Compliance with a legal obligation
To deliver our	<ul style="list-style-type: none"> • Contact data 	Performance of

<p>Services and process and manage transactions/orders</p>	<ul style="list-style-type: none"> • Account data • Transaction data • Financial data • Marketing and communication data 	<p>a contract</p>
<p>To establish and investigate any suspicious behaviour in order to protect our business from any risk and fraud</p>	<ul style="list-style-type: none"> • Contact data • Account data • Identification and verification data • Transaction data • Financial data 	<p>Legitimate interest</p>
<p>To manage our relationship with you, to communicate with you, to provide you access to the Services</p>	<ul style="list-style-type: none"> • Contact data • Account data • Marketing and communication data • Transaction data 	<p>Performance of a contract</p>
<p>Use data analytics to improve the Site, marketing purposes and customer</p>	<ul style="list-style-type: none"> • Usage data 	<p>Legitimate interest</p>

experience.		
To exercise and defend legal claims	<ul style="list-style-type: none"> • Contact data • Account data • Marketing and communication data • Transaction data 	Legitimate interest

We will use your personal data for purposes for which it was collected, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

We have a legitimate interest in understanding how customers and potential customers use this website. This would assist us with providing more tailored products and services, with providing information to our sponsors and corporate members, and with providing appropriate staffing to meet customer needs.

Please note that depending on the circumstances you might be asked to provide further information. For instance, when you approach us or have been approached by us either as our partner or client with regards to the provision of our Services as well as services provided to us by you, you shall be asked to provide us KYC data. Such data might include:

- Personal details of directors;
- Personal details of UBOs;
- Account signatory personal details (if applicable)
- Additional information such as personal information on PEPs

In certain circumstances we may share and disclose your personal data as described below.

Compliance with the law, responding to legal requests, preventing harm and protection of our rights

We may disclose your information, including personal information, to courts, law enforcement or governmental authorities, or authorized third parties, if and to the extent we are required or permitted to do so by law or if such disclosure is reasonably necessary: (i) to comply with our legal obligations, (ii) to comply with legal process and to respond to claims asserted against us, (iii) to respond to requests relating to a criminal investigation or alleged or suspected illegal activity or any other activity that may expose us, you, or any other of our users to legal liability.

Third-party service providers

We can use third-party service providers to help us provide services related to the website and the payment services. Service providers may be located inside or outside of the European Economic Area (“EEA”). These providers have limited access to your information and are contractually bound to protect and to use it on our behalf only for the purposes for which it was disclosed and as well as to provide the same level of data protection and be consistent with this Privacy Policy. The categories of the such third parties are mainly the following:

- Marketing providers to perform certain marketing activities on our behalf and only with your consent;
- IT/system support services;
- Third parties assisting in investigations (such as AML investigations) for the purpose of detecting and preventing fraud or other security or technical problems;
- Cloud services providers for provision of cloud-based services such as storage or hosting certain software;
- Professional advisors acting as processors or joint controllers including lawyers, auditors and insurers who provide consultancy;
- Service providers for the purpose of data analytics;
- Service providers enabling communication with you from a technical standpoint (e.g. via email, chat).

You can always contact us to receive the full list of our service providers which process your data.

5. How we protect information

We will always hold your information securely.

To prevent unauthorised disclosure or access to your information, we have implemented administrative, technical and physical security measures to protect your personal information.

To ensure the security of your personal information, we use the following methods:

- (a) Personal information we collect is stored in a secure data centre compliant with international recognised standards: ISO/IEC 27001:2013, 27017:2015, 27018:2019, 27701:2019, 22301:2019, 9001:2015, and CSA STAR CCM v3.0.1.
- (b) All sensitive data which is transmitted between your computer and us is transferred securely via the internet, using strong encryption. We use secure and tested encryption technology bearing certificates provided by renowned certificate authorities.
- (c) All personal data is protected from unauthorised access by firewall and intrusion detection and prevention systems.

(d) Your trading account is protected by your account password and two-factor authentication (i.e., Google Authenticator).

While we have taken reasonable steps to secure the personal information you provide to us, please be aware that despite our efforts, no method can ensure complete security, and there is no guarantee that your information will not be accessed, disclosed, altered or destroyed. By using our Service, you acknowledge that you understand and agree to assume these risks.

6. Your data protection rights

We would like to make sure you are fully aware of all your data protection rights. Every person is entitled to the following:

1. **The right to access** — You have the right to request copies of your personal data we hold about you. We may charge you a small fee for this service.
2. **The right to rectification** — You have the right to request that we correct any information you believe is inaccurate or incomplete.

3. **The right to erasure** – You have the right to request that we erase your personal data, under certain limitations and exceptions.
4. **The right to restrict processing** – You have the right to request that we restrict the processing of your personal data, under certain limitations and exceptions.
5. **The right to object to process** – You have the right to object to the processing of your personal data, under certain limitations and exceptions.
6. **The right to data portability** – You have the right to request that we transfer the data that we have collected to another organisation, or directly to you, under certain limitations and exceptions.
7. **The right to complain to a supervisory authority** – You have the right to complain about our processing of your personal data; and
8. **The right to withdraw consent** – to the extent that the legal basis of our processing of your personal data is consent, you can withdraw that consent.

You may exercise any of your rights in relation to your personal data by writing to us at the postal address above or by email at

privacy@gatemt.com.

We will collect any information about the communication and any additional information that you choose to give us. We will use this information to review, investigate and respond to any comment or question that you may raise. Please note that we record your communication with us and may use it in our dealings with you, including any dispute resolution.

We have one (1) month, from receipt of your communication, to reply to you.

7. International Data Transfers

We do not generally transfer your personal data to entities outside the European Economic Area (“EEA”) except as may be necessary to:

- (i) enable your use of the Platform,
- (ii) fulfil our contractual obligations to you or exercise our contractual obligations against you,
- (iii) comply with our legal or regulatory obligations or
- (iv) assert, file or exercise a legal claim. Where we do need to transfer your personal data outside the EEA (whether for these stated purposes or any other purpose listed in Section 4 above), we will ensure a similar degree of protection is afforded to that personal data by ensuring at least one of the following safeguards applies or is otherwise implemented:

- i. We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- ii. In the absence of an adequacy decision, we will use standard contractual clauses that have been approved by the European Commission.
- iii. Where we use providers based in the U.S., we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US.

8. Promotional Communications

You may opt out of receiving promotional emails or text messages from Gate.eu by following the instructions in those emails or text messages or by visiting the Notifications tab in the Settings menu on our platform. If you opt out, we may still send you non-promotional emails, such as service messages about your Account or our ongoing business relationship.

9. Advertising and Analytics Services Provided by Others

We may allow others to provide analytics services and serve

advertisements about our products and services on our behalf across the web and in mobile applications. This may involve cookies and other technologies to collect information about your use of the Services. This information may be used by Gate.eu to, among other things, analyse and track data, determine the popularity of certain content, and better understand your online activity in connection with the Services.

Please refer to section 10 (About Cookies) and our Cookie Policy for more information about the cookies involved and the process of consenting or refusing cookies.

10.About Cookies

Like many sites, we use “cookies” to collect information. Cookies are files with small amount of data, which may include an anonymous unique identifier. Cookies are sent to your browser from our Site and stored on your computer’s hard drive.

Cookies allow us to store your preferences to present content, options or functions that are specific to you. They also enable us to see information like how many people use the Site and what pages they tend to visit.

We may use cookies to:

- (a) Analyse our web traffic using Google Analytics. Aggregated usage data helps us improve the Site structure, design, content and functions.
- (b) Identify whether you are signed into our Site.
- (c) Store information about your preferences. The Site can then present you with information you will find more relevant and interesting.
- (d) To recognise when you return to our Site. We may show you relevant content or provide functionality you used previously.

Cookies do not provide us with access to your computer or any information about you, other than that which you choose to share with us.

You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some features of our Site.

11. Changes to our Privacy Policy

For expediency and for compliance with any changes in the law, we reserve the right to amend the Policy from time to time in our sole discretion without prior notice to you and at any time. We may inform you of the modifications made to the Policy by updating and publishing

the effective date of the release of new versions hereof and highlighting the amendments. Sometimes, we may issue a notice to inform you of the modification made in the Policy, which, however, is not an obligation for us. You shall regularly review the Policy and focus on its modifications, and if you do not agree to such modification updates, you shall immediately stop accessing the Sites. You agree that it is your sole responsibility to keep yourself updated of any amendments by reviewing the Policy at our Sites regularly.

12.How to contact the appropriate authority

If you are not happy with the way in which your personal data has been processed in connection with the use of our Services, you are in the first instance encouraged to contact us by email at privacy@gatemt.com.

Should you remain dissatisfied with the measures for remedying the situation undertaken by us, you are able to file a complaint with the Office of the Information and Data Protection Commissioner in Malta.

The Office of the Information and Data Protection Commissioner can be contacted at:

Information and Data Protection Commissioner
Level 2, Airways House
High Street

Sliema SLM 1549

Malta

or visit: www.idpc.org.mt