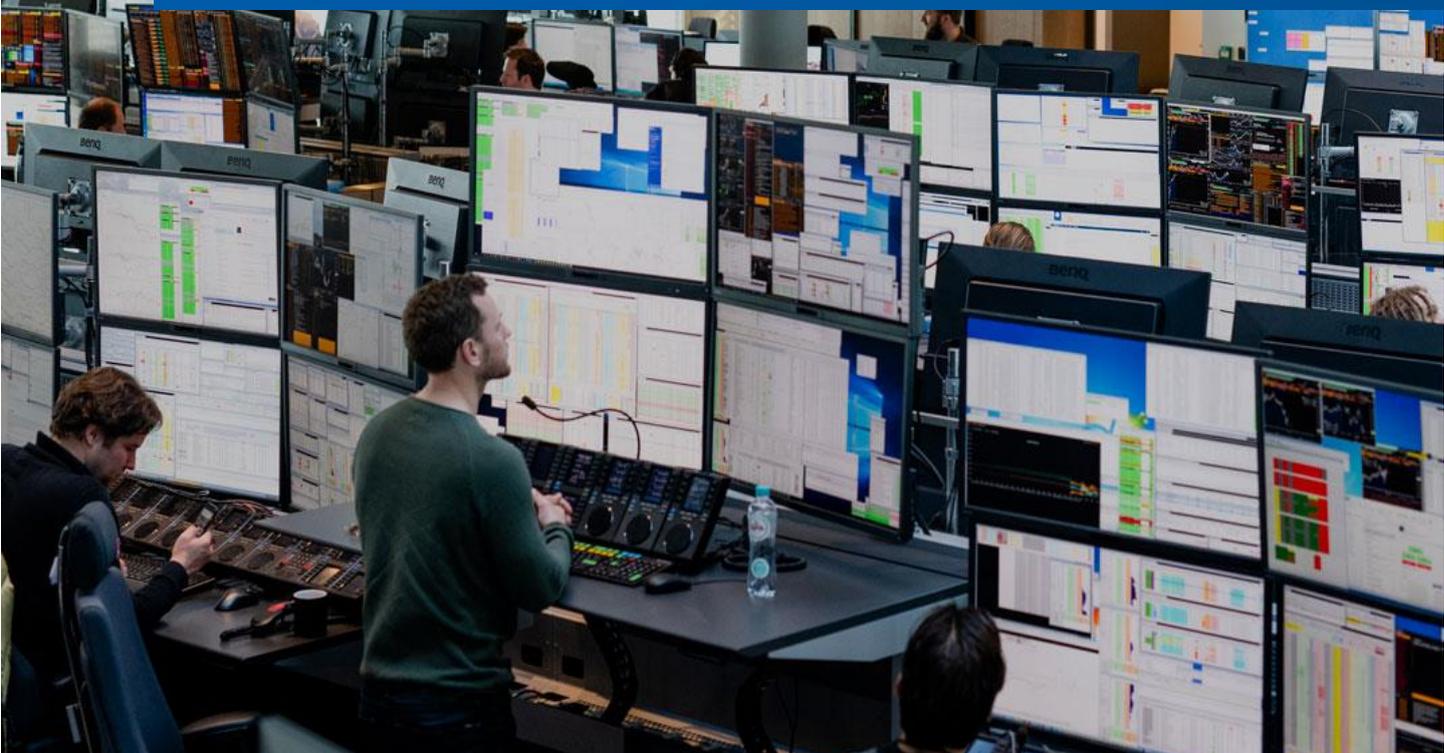




IMC PRIVACY STATEMENT - EUROPE

IMC Trading B.V.

July 2020



IMC Privacy Statement - Europe

Your Privacy

We value your right to privacy and strive to protect your personal data that we collect. We process your personal data, use cookies and similar technologies in accordance with the General Data Protection Regulation 2016/679/EU, as amended, substituted or replaced from time to time and its relevant national implementing legislation (“GDPR”).

We want to make sure that you understand what kind of information we will be collecting from you and how it will be used. In this Privacy Statement we describe which personal data we collect, how and for which purposes we process your personal data, to whom personal data is disclosed by us and how you can exercise your privacy rights. Therefore, we encourage you to read this Privacy Statement carefully. We may need to amend this Privacy Statement from time to time. The most recent version of this Privacy Statement is available on our website.

Finally, we would like to point out that we are continually developing and improving our website. If this brings about any changes in the way we process personal data, this will be reflected in this Privacy Statement. We therefore recommend that you regularly take notice of the Privacy Statement for any modifications.

Who we are

IMC is a global group of companies of which its headquarter is established in The Netherlands. IMC in The Netherlands is the controller for the processing of your personal data (hereafter: “IMC”, “we”, “us”). You can contact us via the contact details provided at the bottom of this Privacy Statement.

What is relevant for you?

What is relevant for you in this Privacy Statement will depend on the relationship you have with us. This Privacy Statement is set up in a way that enables you to only read what is relevant to you:

- If you have provided your personal data to us for recruitment purposes, please refer to **paragraph 1**.
- If you have applied for a job or internship at IMC, please refer to **paragraph 2**.
- If you are a business relation of IMC, please refer to **paragraph 3**.
- If you are a direct counterparty (DCP) for trading with IMC, please refer to **paragraph 4**.
- If you visit the IMC website, please refer to **paragraph 5**.
- If you visit the IMC offices, please refer to **paragraph 6**.

1. You, or someone else on your behalf, have provided your personal data to IMC for recruitment purposes

We will process certain personal data from you in the context of our recruitment activities.

In connection with our recruitment activities we would like to send you information about IMC, invite you to our (recruitment) events, contests, and notify you of job openings that are relevant to you (the “**Recruitment Mailings**”). We will use your personal data in order to contact you and for example, to ask you whether you would like to subscribe to our Recruitment Mailings.

You may provide personal data (such as your contact details and/or your curriculum vitae) to IMC directly.

For example to one of our recruitment employees, or when you opt-in for our Recruitment Mailings or submit your personal data through (for example the “join our talent community” on) our website.

We may also obtain your personal data from other sources, such as universities, recruitment agencies, study associations or student associations, or the information is publicly available.

We have two legal basis for the processing of your personal data: your consent by actively providing your personal data to us (such as by opting in to our Recruitment Mailings or joining out talent community) and/or our legitimate interest (as our objective is to find new employees; to inform potential applicants of our job openings; invite them to our recruitment events and keep them up to date of our business).

Below we have set out what personal data we collect about you and for what purposes:

<u>Personal data:</u>	<u>Purposes:</u>
Personal and contact details (including: name, address, phone number and email address)	<ul style="list-style-type: none"> to correctly address you to contact you and to ask you if you would like to subscribe to our Recruitment Mailings to send Recruitment Mailings
position of interest	<ul style="list-style-type: none"> to customise our Recruitment Mailings
current employer	<ul style="list-style-type: none"> to determine whether you are suitable for and meet all relevant requirements for our recruitment activities and/or vacancies
current title	<ul style="list-style-type: none"> to determine whether you are suitable for and meet all relevant requirements for our recruitment activities and/or vacancies
which employment you are seeking (experienced, graduate or internship)	<ul style="list-style-type: none"> to customise our Recruitment Mailings
graduation year	<ul style="list-style-type: none"> to customise our Recruitment Mailings
curriculum vitae	<ul style="list-style-type: none"> to determine whether you are suitable for and meet all relevant requirements for our recruitment activities and/or vacancies

With whom do we share your personal data?

Internal:

All our employees involved in the relevant recruitment activities have access to your personal data, but only to the extent necessary to fulfil their respective tasks. We may share your contact details with our recruitment employees in the IMC offices outside the European Union (the "EU"), such as in Chicago or Sydney. These countries may offer a lower level of data protection than the country in which we are established. The required privacy safeguards are taken as we have entered into an intercompany data transfer agreement with the IMC offices outside the EU.

External:

We use HR and recruitment cloud software services to process your personal data:

When an external party processes your personal data solely on our behalf and under IMC's strict instructions, it acts as a data processor. In that case we enter into an agreement with such a data processor (a so called Data Processing Agreement) to, among others, ensure that necessary steps are taken to protect personal data.

If your personal data are transferred to an external party in a country that does not provide an adequate level of protection of personal data, IMC will take measures to ensure that your personal data are adequately protected. In other cases, your personal data will not be supplied to external parties, except when required by law.

How long do we store your personal data?

We will store your personal data as only as long as necessary for the above mentioned purposes. After it is no longer needed, we will delete your personal data from our systems.

How can I exercise my privacy rights?

Please contact: HR-Administration@imc.com

2. You have applied for a job or internship at IMC

We highly appreciate your interest in working for IMC. We collect personal data in most cases directly from the individual. For example, if you apply through on our EU Career webpage you will be required to submit personal data through our career webpage as part of your application, otherwise we will not be able to process your application. But we may also obtain your application and personal data from third parties, such as recruitment agencies if you have submitted your application through them, or from public available information. Your personal data will be used by IMC to assess your skills and interest in career opportunities at IMC and to process your application.

We have two legal grounds for processing your personal data: your consent by providing your application to us and IMC's legitimate interest, as our objective is to find new employees and interns. We collect and process your personal data for the purposes of the application and selection procedure and to ensure its efficient and effective functioning.

Below we have set out what personal data we may collect about you and for what purposes:

<u>Personal data:</u>	<u>Purposes:</u>
personal and contact details (including: name, address, phone number and email address)	<ul style="list-style-type: none"> to correctly address correspondence to you to inform you and communicate with you regarding your job application or any (future) vacancies or events to ensure an efficient application and selection procedure
recruitment information (such as your curriculum vitae, employment history, education history, picture, diplomas, current salary, background checks, references)	<ul style="list-style-type: none"> to determine whether your qualifications and profile meet the requirements of the vacancy to have an indication in the salary that we may offer you and to comply with the arrangements we have with recruitment agencies
personal and contact details (including name and email address), photo, correspondence, logging information, job title	<ul style="list-style-type: none"> to make use of our onboarding tool for new hires, so we can provide you with relevant information to communicate through the onboarding tool with HR and your peers
correspondence with IMC with regard to job applications	<ul style="list-style-type: none"> to reply to you and answer your questions
your test and assessments results	<ul style="list-style-type: none"> to determine whether you meet the requirements of the vacancy
information and communication gathered during the interviews and application process	<ul style="list-style-type: none"> to determine whether you meet the requirements of the vacancy

If you are an independent contractor we process your personal data the same way as we would enter into an employment agreement with you.

With whom do we share your personal data?

Internal:

All our employees involved in your specific job application procedure have access to your personal data. These employees are for example our recruiters, HR employees, the relevant (hiring) managers and other employees that are involved in your application process or have any other legitimate reason to process your personal data, but only to the extent necessary to fulfil their respective tasks.

We also may share your personal data with our (recruitment) employees in the IMC offices outside the EU, such as in Chicago or Sydney. These countries may offer a lower level of data protection than the country in which we are established. The required privacy safeguards are taken as we have entered into an intercompany data transfer agreement with the IMC offices outside the EU.

IMC takes measures to ensure that your personal data are adequately protected. Without a legitimate purpose we will not provide your personal data to recipients for their own purposes.

External:

We make use of the following external parties and therefore disclose personal data to:

- Recruitment agencies
- Assessment centres
- HR and recruitment cloud software services
- Travel agencies
- Background screening companies

We only disclose personal data when necessary for our application activities and in accordance with applicable data protection and security requirements. If your personal data are transferred to an external party in a country that does not provide an adequate level of protection of personal data, IMC will take measures to ensure that your personal data are adequately protected. In other cases, your personal data will not be supplied to external parties, except when required by law.

When an external party processes your personal data solely on our behalf and under IMC's strict instructions, it acts as a data processor. In that case we enter into an agreement with such a data processor (a so called Data Processing Agreement) to, among others, ensure that necessary steps are taken to protect personal data.

How long do we store your personal data?

IMC will retain your personal data for a period of one year after the application process has ended. This way we can keep in contact for any future (recruitment) events or other vacancies. Also it is in your and our best interest that IMC keeps these data, as it won't be necessary to provide these data again or assess the data again when you would apply a second time for a position at IMC within the year. Our HR and Recruitment Department will be able to process your application more efficiently, so that both, you and IMC, will have clarity about the next steps in the application process without unnecessary delays.

In case you have given us your consent, IMC will retain your personal data for a period of two years after the application process has ended. This way we can keep in touch for a longer period, for instance regarding future (recruitment) events and new vacancies or job applications, if that would also be in your best interest. Please note that you can give your consent freely when you apply. Your decision will under no circumstances impact the recruitment procedure.

If you get in touch with us and provide us with your personal data, for example through the contact form on our EU Career webpage, we will retain your personal data as long as necessary to answer your questions. As soon as your questions have been answered and no follow up correspondence is required or desired, your personal data will be deleted from our systems.

If you enter into an employment agreement with IMC different retention periods will apply, which will be communicated to you upon commencement of employment.

How can I exercise my privacy rights?

Please contact: HR-Administration@imc.com

3. You are a Business Relation of IMC

We will process certain personal data from you if you provide goods and/or services to us. Generally we obtain your personal data directly from you. It is also possible that we receive personal data from others than yourself or that the information is publicly available. If you provide us with personal data of persons other than yourself, please provide the concerned person(s) with (a copy of) this Privacy Statement.

We have three legal basis for the processing of your personal data: your consent (by actively providing your personal data to us), to perform our contractual obligations towards you or to take pre-contractual steps and/or to comply with our legal and regulatory obligations.

Below we have set out what personal data we may collect about you and for what purposes:

<u>Personal data:</u>	<u>Purposes:</u>
contact and personal details (such as name, date of birth, address, telephone number, email address, ID card or passport details, job title, position), company name, tax details, financial information such as payment and bank account details, excerpts of registers (public or not), security information such as access/keycard information.	<ul style="list-style-type: none"> • to procure goods and/or services from you and make payments to you • to communicate to you and correctly address you • to comply with (pre-)contractual and/or legal obligations • to identify you • to verify whether you are authorized • for security reasons • to send you flowers and holiday greetings

With whom do we share your personal data?

Internal:

We will disclose personal data when this is necessary to conduct our business operations. Your personal data may be accessed by relevant IMC departments, including but not limited to Management, Facilities, Finance, Legal, Risk & Compliance and Information Security, but only to the extent necessary to fulfil their respective tasks. We may also share your personal data with our IMC offices outside the EU, such as in our offices Chicago or Sydney in case this is necessary for providing any relevant goods or fulfilling any relevant services and/or to comply with our contractual or legal obligations. These countries may offer a lower level of data protection than the country in which we are established. The required privacy safeguards are taken as we have entered into an intercompany data transfer agreement with the IMC offices outside the EU.

External:

IMC works with third parties around the world, including but not limited to:

- (IT) Service or product providers (e.g. software, cloud (hosting) and network providers)
- Financial institutions (e.g. banks and exchanges)
- Background screening companies
- External advisors (e.g. accountants and legal advisors)
- Insurance and travel agencies
- Government agencies

We will only provide your personal data to such third parties when it is necessary for our business operations and/or to comply with our contractual or legal obligations. IMC takes measures to ensure that your personal data are adequately protected.

If your personal data are transferred to an external party in a country that does not provide an adequate level of protection of personal data, IMC will take measures to ensure that your personal data are adequately protected. In other cases, your personal data will not be supplied to external parties, except when required by law. When an external party processes your personal data solely on our behalf and under IMC's strict instructions, it acts as a data processor. In that case we enter into a Data Processing Agreement with such a data processor.

How long do we store your personal data?

Your personal data will be retained for different periods, as long as necessary for the relevant purposes, contractual obligations and any specific legal obligations regarding data retention. When it is no longer necessary for IMC to keep the personal data or when mandatory retention periods have expired, your personal data will be deleted from our systems.

How can I exercise my privacy rights?

Please contact: amslegal@imc.com

4. You are a Direct Counterparty for Trading with IMC

As a (prospective) counterparty for trading business ("Counterparty") with IMC Trading B.V. ("IMC Trading"), we might process personal data we collected from you, your employees, officers, directors and/or your shareholders, as the case may be (together, "Persons"), in connection with the relationship between IMC Trading and you as Counterparty. In this Privacy Statement we describe who we are, what kind of personal data IMC holds of Persons, for which purposes we process personal data of Persons and the legal basis for such processing.

IMC Trading is registered as an investment firm with the Dutch Authority for the Financial Markets (*Autoriteit Financiële Markten*) to deal on its own account. IMC Trading does not provide any investment or ancillary services, as defined in MiFID II. IMC Trading's LEI number is 213800A1PNS41NG89H87.

Purposes of processing

IMC may collect personal data from Persons, including but not limited to: contact details, name, email address, phone number, gender, job title, criminal records and identity verification information, such as a copy of a valid ID. You may provide us with personal data of Persons other than yourself, for example of the ultimate beneficial owner(s) of the company you are representing. If this is the case, please provide the concerned Person(s) with (a copy of) this Privacy Statement.

Personal data of Persons may be processed for the following purposes:

- For business purposes. If we enter into a business relationship with a Counterparty we need to process personal data of Persons to conduct our business and maintain our relationship with you.
- To comply with legal and regulatory obligations, including compliance with the provisions of the European Fourth Anti-Money Laundering Directive (EU/2015/849) as implemented into the Dutch Anti-Money Laundering and Counter-Terrorist Financing Act (*Wet ter voorkoming van witwassen en financieren van terrorisme*) ("Wwft").
- To provide you with (marketing) information about IMC. We may send you information with regard to new products, IMC's business and (invitations to) our events.

Personal data will be collected for the abovementioned purposes only and will not be further processed in a manner that is incompatible with these purposes.

Legal basis for processing

IMC will only process personal data in accordance with applicable law:

- Processing is necessary for our legitimate interest in pursuing the above purposes.
- Once we have accepted you as a Counterparty, our relationship will be subject to the relevant Terms and Conditions (that are available at <https://www.imc.com/eu/terms-and-conditions/>). Therefore, processing of personal data is necessary for the performance of a contract.
- IMC processes personal data to comply with legal and regulatory obligations, including compliance with the Wwft.

With whom do we share your personal data?

We may disclose personal data of Persons to:

Internal

- employees or directors of IMC and to any person we reasonably believe necessary for the processing purposes as set out above and only on a need to know basis, provided that all such persons will treat the personal data of Persons confidential

External

- to third parties we reasonably believe necessary in order to comply with applicable law
- IMC Trading makes use of the World-Check service of Refinitiv for due diligence and screening purposes in light of applicable requirements under the Wwft (a link to the World-Check Privacy Statement of Refinitiv can be found [here](#))
- clearing and settlement service providers
- IMC processes personal data of Persons in our CRM system

How long do we store your personal data?

IMC will retain personal data of Persons only for so long as necessary for the processing purposes as set out above.

Personal data received for the purposes of compliance with Wwft obligations will be retained as long as required under the Wwft.

How can I exercise my privacy rights?

Please contact: Privacy.tradingdesk@imc.com

5. You are visitor the IMC website

Our IMC website uses Google analytics cookies. These cookies help IMC to improve its website, by analyzing the usage. By continuing to use this Website the user consents to the use of these cookies.

We use Phenompeople (a Talent Experience Management Cloud Platform) for our career website. Phenompeople uses cookies to provide you with an optimal and personalized visitor experience. More information on how Cookies are used can be found [here](#).

How can I exercise my privacy rights?

Please contact: HR-Administration@imc.com

6. You are a visitor to the IMC offices

We use a specialized external party that provides video surveillance (“CCTV”) services in and around our premises. If you are a visitor to our office, you may appear on our camera footage. We have a legitimate interest to use CCTV for the purposes of protecting: (i) our office, (ii) the security and health of people within the IMC office; and (iii) the (intellectual) property of IMC.

With whom do we share your personal data?

Access to video footage is restricted. The personal data collected shall only be accessible to authorized employees of IMC to the extent it is necessary to fulfil their respective tasks. Personal data may be disclosed to the external party specialized in CCTV services has access as well as other third parties that provide security services, but only to the extent it is necessary to fulfil their respective tasks. In case we are (legally) obliged, we will provide the camera footage to authorities such as the police or a private detective agency and if needed, we can use the camera footage as evidence in legal proceedings.

How long do we store your personal data?

The camera footage will be kept for four (4) weeks or, in case of an incident: after the conclusion of such incident or series of incidents.

How can I exercise my privacy rights?

Please contact: amslegal@imc.com.

How do we secure your personal data?

IMC has implemented appropriate technical and organisational measures against unauthorized or unlawful processing of your personal data and against accidental loss or destruction of, or damage to your personal data. IMC has implemented physical, administrative, and technical safeguards to protect your personal data.

How can you exercise your privacy rights?

You have the right to request access and rectification of your personal data, and under certain conditions, erasure of personal data. In addition, you may also have the right of restriction of processing concerning your personal data, the right to object to processing as well as the right to data portability of your personal data.

To invoke the above mentioned rights please contact us by using the contact details as referred to in the applicable paragraph of this Privacy Statement. Please note that we may ask for additional information to verify your identity.

Can you withdraw your given consent?

If you no longer want us to process your personal data you have given consent for, you can always withdraw your consent. Please keep in mind that withdrawal does not have retrospective effect. You can contact us by using the contact details as referred to in the applicable paragraph of this Privacy Statement.

Questions and complaints

For questions or complaints, please contact IMC’s Legal Department in Amsterdam:

IMC B.V.	IMC Trading B.V.
Amstelveenseweg 500	Amstelveenseweg 500
1081KL Amsterdam	1081KL Amsterdam
T+31 (20) 798 8400	T+31 (20) 798 8400
Email: amslegal@imc.com	

You have the right to lodge a complaint with the relevant Data Protection Authority. Please find the contact details of the Dutch Data Protection Authority on: www.autoriteitpersoonsgegevens.nl

Updates to this Privacy Statement

This Privacy Statement may be amended from to time, and the most recent version is available at our website.