

## Czarnikow Privacy Policy

We are Czarnikow Group Limited and we operate under the name of Czarnikow.

C. Czarnikow Sugar Futures Limited, a subsidiary of Czarnikow Group Limited, is a regulated entity with the FCA.

Together with other members of our group, (“Czarnikow”, “we”, “our”, “us”), we are committed to protecting and respecting your privacy. A list of our group members can be found at Appendix 1 of this policy.

Certain provisions will only apply if you are located within the European Economic Area (“EEA”) [or the United Kingdom (“UK”)] and these are flagged within this policy.

[If you have any concerns about your privacy, please contact us by e-mailing us at [czarnikow@czarnikow.com](mailto:czarnikow@czarnikow.com), or by writing to us at Paternoster House, 65 St. Paul's Churchyard, London, EC4M 8AB, United Kingdom].

### Scope of the policy

This policy applies to our personal data collection and sharing practices in connection with your use of:

- a) our website at [czarnikow.com](http://czarnikow.com);
- b) our client web portal at [czapp.com](http://czapp.com);
- c) our mobile application Czapp;
- d) and the services available through, or interactions you have with, Czarnikow (both online and offline),

(collectively, the “Site”).

This policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed and used by us and covers the following areas:

#### Who is the Controller

#### Personal data we collect about you

#### Cookies

#### How we will and share use your personal data

#### Storage security and international transfers

#### How long will we keep your personal data?

#### Your legal rights

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### Privacy policy does not cover third party websites

Our Site may contain links to other third party websites. If you follow a link to any of those third party websites, please note that they have their own privacy policies and that we do not accept any responsibility or liability for their policies or processing of your personal data. Please check these policies before you submit any personal data to such third party websites.

### Who is the Controller

Czarnikow Group Limited is the data controller responsible for your personal data. In addition, depending on where you are located or the services that you are receiving, other members of our group may also be acting as data controllers. Their details can be found at Appendix 1 of this Policy.

### **Personal data we collect about you**

We will collect (either directly from you or via third parties) and process the following personal data about you.

- **Information you give us:** This includes information you provide when you register to use the Site, subscribe to any of our services, enter into any transaction, participate in discussion boards or other social media functions on the Site, respond to a survey and when you report a problem with our services or our Site. This information may include your name, address, date of birth, e-mail address, phone number, job title and employer, your username, password and other registration and profile information, copies of identification documents (e.g. passport, driving licence), personal descriptions, photograph and any other personal data you provide to us in order to facilitate the use of our services and our Site;
- **Financial, Credit and Anti-Fraud information:** We may require information such as your bank account details and information relating to your financial situation, your creditworthiness, and any anti-fraud information. This will comprise information provided to us by you or third parties including credit ratings from credit reference agencies and details of fraud, other offences and suspicious transactions from law enforcement agencies;
- **Your transactions and holdings:** We will maintain details of your transactions or holdings with us, including associated documentation such as invoices and contracts. We will also require information to ensure the advice and/or services we provide to you are appropriate for you and the investments you purchase are suitable for you;
- **Correspondence:** If you contact us (e.g. in person, via email or phone), we will typically keep a record of that correspondence;
- **Information we collect about your Site usage and your device:** Each time you visit our Site we may automatically collect the following information: (i) technical information, including the internet protocol (IP) address, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, device information and the type of mobile device you use, a unique device identifier (for example, your device's IMEI number, the MAC address of the device's wireless network interface, or the mobile phone number used by the device), mobile network information, your mobile operating system, the type of mobile browser you use, time zone setting; and (ii) information about your visit, including the full uniform resource locators (URL), clickstream to, through and from our Site (including date and time), services you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from the page and device information; and
- **Marketing preference information:** We may retain details of your marketing preferences (e.g. communication preferences and interests) and information relevant to selecting appropriate products and services to offer you.

Please note that where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that personal data when requested, we may not be able to perform the contract we have or are trying to enter into with you, but we will notify you if this is the case at the time.

As part of the above, we may also collect limited amounts of “sensitive” personal data (which is also called “special categories of personal data” in the EEA), such as personal data revealing political affiliation (in the context of politically exposed persons (PEP) screenings) and criminal convictions data.

## **Cookies**

Czarnikow and our third-party partners, such as our analytics partners, use cookies and other tracking technologies (e.g., web beacons, device identifiers and pixels) to provide functionality and to recognize you across different Services and devices. For more information, please see our [Cookies Policy](#), which includes information on how to control or opt out of these cookies and tracking technologies.

## **How we will use and share your personal data**

In this section, we set out the purposes for which we use the personal data we collect and who we may share it with.

With respect to individuals located in the EEA [or the UK], use of personal data must be based on one of a number of lawful bases and we are required to set out such lawful bases in respect of each use. In the list below, we have set out the relevant lawful bases that apply to each purpose.

You can find an explanation of each of the grounds relied on at Appendix 2 of this policy.

We will use the personal data we collect from you for the following purposes:

- **To administer and manage services and transactions** we deliver to you and your organisation, including making decisions about whether to agree to approve any business transaction and to confirm your eligibility to use our products and services, managing your profile/account, to carry out our obligations arising from any agreements entered into between you and us and to take payment from you  
**Legal bases:** contract performance, legitimate interests (to enable us to perform our obligations and provide our Site and services to you and to ensure you fall within our acceptable risk profile). With respect to special categories of personal data/criminal background data, we will usually rely on legal claims, substantial public interests (processing for the prevention and detection of fraud/crime) or very rarely where necessary, explicit consent;
- **To track, analyse and improve the Site and services** we provide you and other customers and allow you to participate in interactive features  
**Legal bases:** legitimate interests (to allow us to improve our services);
- **To resolve technical issues** you encounter, to respond to requests for assistance, to analyse crash information, and to repair and improve our Site and services  
**Legal bases:** contract performance, legitimate interests (to enable us to perform our obligations and provide our services to you);

- **To verify your identity to protect against fraud, money laundering and terrorism** as may be required by applicable law and to comply with financial crime laws. This may include checking against sanctions, politically exposed persons (PEP) and other fraud or crime screening databases. If false or inaccurate information is provided and fraud is identified or suspected, details may be passed to fraud prevention agencies and may be recorded by us or by them

**Legal bases:** legal obligations, legitimate interests (to ensure you fall within our acceptable risk profile, to cooperate with law enforcement and regulatory authorities and to prevent and detect fraud/crime). With respect to special categories of personal data/criminal background data, we will usually rely on legal claims, substantial public interests (processing for the prevention and detection of fraud/crime) or very rarely where necessary, explicit consent;
- **To monitor queries, complaints and transactions** to ensure service quality and compliance with procedures

**Legal bases:** legal obligations, legitimate interests (to ensure that the quality and legality of our services);
- **To contact you directly with information about services which we believe will be of interest to you and your organisation and to communicate marketing information** relating to our products and services and those of affiliated partners where we think these will be of interest to you. You can always unsubscribe from receiving these if you want to, by the link provided in our e-mails or by contacting us as set out below

**Legal bases:** consent, legitimate interest where are not required to rely on consent (to keep you updated with news in relation to our products and services);
- **To manage our business and internal operations, and to administer and safeguard our Site and services**, including troubleshooting, data analysis, testing, research, statistical and survey purposes; and to ensure that content from our Site is presented in the most effective and secure manner for you and for your device

**Legal bases:** legitimate interests (to allow us to provide you with the content and services on the Site securely);
- **To notify you about changes** to our Site and service

**Legal bases:** legitimate interests (to notify you about changes to our service);
- **To reorganise or make changes to our business** in the event that we: (i) are subject to negotiations for the sale of our business or part thereof to a third party; (ii) are sold to a third party; or (iii) undergo a re-organisation, we may need to transfer some or all of your personal data to the relevant third party (or its advisors) as part of any due diligence process for the purpose of analysing any proposed sale or re-organisation. We may also need to transfer your personal data to that re-organised entity or third party after the sale or reorganisation for them to use for the same purposes as set out in this policy

**Legal bases:** legitimate interests (in order to allow us to change our business);
- **In connection with legal or regulatory obligations and to enforce or protect or rights and investigate breaches**, we may process your personal data to comply with our regulatory requirements or dialogue with regulators as applicable which may include disclosing your personal data to third parties, the court service and/or regulators or law enforcement

agencies in connection with enquiries, proceedings or investigations by such parties anywhere in the world or where compelled to do so

**Legal bases:** legal obligations, legitimate interests (to cooperate with law enforcement and regulatory authorities). With respect to special categories of personal data/criminal background data, we will usually rely on legal claims, substantial public interests (processing for the prevention or detection of crime); and

- **From time-to-time, we may partner with certain third parties in order to offer you co-branded services or promotional offers.** In order to provide these services to you and to allow us and any associated third party to optimise their/our offering to you, we will share your personal data with such third parties

**Legal bases** contract performance, legitimate interests (to allow us to partner with providers and develop our service offering).

In addition to the disclosures specified above, we may share your personal data for the purposes set out above (and in accordance with the applicable legal bases described above) with our group members, service partners and providers (e.g. banking partners, banking intermediaries, international payments services providers, logistics providers, producers and consumers of the products traded, advertisers and analytics providers and search engine providers, cloud service providers), and law enforcement/regulatory and fraud prevention agencies.

### **Storage security and international transfers**

The personal data that we collect from you will be transferred to, and stored at, a destination inside the EEA [or the UK].

We provide an international service. For example, you may request us to execute an international contract, provide global anti-money laundering and counter terrorist financing solutions and provide ongoing support services. As a result of this, your personal data may be transferred outside of the EEA [and the UK] in order for us to fulfil our contract with you to provide our services. Where required by applicable law, all such data transfers are managed under relevant data transfer agreements or other lawful export solutions.

We will take all steps to ensure that your personal data is treated securely and in accordance with this policy. The transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted to our Site; any transmission is at your own risk. Once we have received your personal data, we will use commercially reasonable procedures and security features to try to prevent unauthorised access.

Certain services include social networking, chat room or forum features. Please ensure when using these features that you do not submit any personal data that you do not want to be seen, collected or used by other users.

### **How long will we keep your personal data?**

Our retention periods for personal data are based on business needs and legal requirements. We retain personal data for as long as is necessary for the processing purpose(s) for which the personal data was collected, and any other permissible, related purpose.

For example, we may retain certain transaction details and correspondence until the time limit for claims arising from the transaction has expired, or to comply with regulatory requirements regarding

the retention of such data. As a further example, C Czarnikow Sugar Futures Limited, as an FCA authorised firm and in order to comply with relevant regulations may need to hold personal data for a period of up to 5 years.

When personal data is no longer needed, we either irreversibly anonymise the data (and we may further retain and use the anonymised information) or securely destroy the data.

### **Your legal rights**

You may have certain right under applicable data protection laws in relation to your personal data. Please see below to find out more about these rights. Please note that these rights may not be available in all jurisdictions and your ability to use some of these rights may be subject to certain conditions. In addition, your exercise of these rights may be subject to certain exemptions including to safeguard the public interest (e.g. the prevention or detection of crime) and our interests (e.g. the maintenance of legal privilege).

You may have the right to:

- **Request access to your personal data** (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you;
- **Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate data we hold about you corrected. In order to assist us with this, you should notify us of any changes to the personal data that you have provided to us by contacting us as set out below or by updating your profile on the Site;
- **Request erasure of your personal data.** This enables you to ask us to delete or remove personal data in certain circumstances;
- **Object to processing of your personal data.** This enables you to object where we are processing your personal data for direct marketing purposes and in other certain circumstances;
- **Request restriction of processing of your personal data.** This enables you to ask us to suspend the processing of your personal data in certain circumstances;
- **Request the transfer of your personal data to you or to a third party.** This enables you to request us to transfer your personal data in a structured, commonly used, machine-readable format to an applicable third party in certain circumstances; and
- **Withdraw consent at any time where we are relying on consent to process your personal data.** However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain elements of our Site and/or services to you. We will advise you if this is the case at the time you withdraw your consent.

#### *Exercising rights*

In order to exercise a right, please contact us as set out below. We will check your entitlement and respond in accordance with the time limits set out below.

#### *Time limit to respond*

We try to respond to all legitimate requests within a month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

#### *No fee usually required*

You will not usually have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **Changes to privacy policy**

Any material changes we make to our privacy notice in the future will be posted on this page and, if appropriate, notified to you by email. We may require you to read and acknowledge these new terms in order to continue using our services.

### **Contact**

If you would like to know what information we hold about you or if you have any other queries or complaints in relation to this privacy policy, your rights under this policy, or our Site, our contact details are as follows:

[Address: Compliance, Paternoster House, 65 St. Paul's Churchyard, London, EC4M 8AB, United Kingdom.

Email: Czarnikow@czarnikow.com

Tel: +44 (0) 20 7972 6600][Set out in Appendix 1]

With respect to individuals located in the EEA and the UK, where we are unable to resolve an inquiry or a complaint, you have the right to contact the data protection regulator in the country in which you are based. A list of the data protection regulators and their contact details can be found at [http://ec.europa.eu/newsroom/article29/item-detail.cfm?item\\_id=612080](http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080).

## **Appendix 1**

### **Group members**

Name	Address	Country	Contact	Data protection information
Czarnikow Group Limited	Paternoster House, 65 St. Paul's Churchyard, London, EC4M 8AB,	UK	Email: Czarnikow@czarnikow.com Tel: +44 (0) 20 7972 6600	ICO registration: ZA118371
C. Czarnikow Sugar Futures Limited	<b>[Note: please insert.]</b>	UK	<b>[Note: please insert.]</b>	ICO registration: ZA128187
C. Czarnikow Limited	<b>[Note: please insert.]</b>	UK	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
CzarSugar Limited	<b>[Note: please insert.]</b>	UK	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
C. Czarnikow Sugar (East Africa) Limited	<b>[Note: please insert.]</b>	Kenya	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
C. Czarnikow Sugar PTE Limited	<b>[Note: please insert.]</b>	Singapore	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
Czarnikow Italia SRL	<b>[Note: please insert.]</b>	[Italy] <b>[Note: on the website, this says UK but we assume it should say Italy. Please confirm.]</b>	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
C. Czarnikow Sugar (Mexico) SA DE CV	<b>[Note: please insert.]</b>	Mexico	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
C. Czarnikow Sugar (Guangzhou) Company Limited	<b>[Note: please insert.]</b>	China	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
C. Czarnikow Sugar Inc.	<b>[Note: please insert.]</b>	USA	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
Czarnikow (Thailand) Ltd	<b>[Note: please insert.]</b>	Thailand	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
C. Czarnikow Sugar (India) Private Limited	<b>[Note: please insert.]</b>	India	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>



Czarnikow Israel Sugar Trading Ltd (Sucarim)	<b>[Note: please insert.]</b>	Israel	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
Czarnikow Tanzania Limited	<b>[Note: please insert.]</b>	Tanzania	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
Czarnikow Servicios de Personales, SA DE CV	<b>[Note: please insert.]</b>	Mexico	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
Czarnikow Futures Inc.	<b>[Note: please insert.]</b>	USA	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
Czarnikow Brazil Ltda	<b>[Note: please insert.]</b>	Brazil	<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>
			<b>[Note: please insert.]</b>	<b>[Note: please insert where applicable.]</b>

## Appendix 2

### **Lawful bases under EEA/UK law (this only applies to individuals located within the EEA/UK)**

The main lawful bases for our use of personal data are as follows:

- **Consent:** where you have consented to our use of your personal data. You may withdraw your consent to the use of your personal data by contacting us as set out in the privacy policy. If you do so, we may be unable to provide a service that requires the use of such personal data;
- **Contract performance:** where we are required to collect and handle your personal data in order to provide you with the services that we have contractually agreed to provide to you;
- **Legal obligation:** where we need to use your personal data to comply with our legal obligations; and
- **Legitimate interests:** where we have a legitimate interest in using your personal data. We will only rely on this lawful basis if we consider that our interest in using your personal data for the relevant purpose is not outweighed by any interests that you may have, or any prejudice that you may suffer, from the relevant use of your personal data.

The main lawful bases for our use of your special categories of personal data/criminal background data are as follows:

- **Legal claims:** where your personal data is necessary for us to establish, exercise or defend any legal claims;
- **Substantial public interest:** where we need to process your personal data for reasons of substantial public interest set out in EU law or the laws of the member state in which you are based; and
- **Explicit consent:** you have given your explicit consent to the processing of those personal data for one or more specified purposes. You are free to withdraw your consent by contacting us as set out in the privacy policy. If you do so, we may be unable to provide a service that requires the use of such personal data.