



ENCOREFX LTD. PRIVACY POLICY (USA)

COMMITMENT

At EncoreFX, we are committed to ensuring that your privacy is protected. We collect personal information in the normal course of business in order to administer your account and to serve you better. Our privacy commitment includes ensuring the accuracy, confidentiality, and security of our customer's non-public personal information. We collect, use and disclose your non-public personal information only as permitted under Federal and State laws (where applicable).

This policy details how EncoreFX Ltd. ("EncoreFX", "we", "our") collects, uses and discloses your non-public personal information. This policy applies to the collection, use and disclosure of non-public personal information of our customers residing in the USA ("you" and "your").

This Privacy Policy may be amended from time to time. The current version will always be available to you on our website, www.encorefx.com.

ACCOUNTABILITY

We regularly monitor our security measures and procedures to ensure that they are effective and properly administered. Our Privacy Officer is accountable for overseeing compliance with this Privacy Policy and the laws that govern the EncoreFX Privacy Policy, including but not limited to the Gramm-Leach-Bliley Act.

We sometimes use outside companies, called third parties, to help us provide the product or service you request. Regardless of the location of these third parties, EncoreFX requires these third parties to meet or exceed the privacy principles in compliance with the USA privacy laws.

PURPOSE AND USE OF PERSONAL INFORMATION

EncoreFX may collect personal information directly from you, from other financial institutions, from government agencies, from credit bureaus or from references that you have provided to us.

We collect personal, non-public and identifying information on individuals, either as account holders themselves or those that are authorized signatories or users, including directors and beneficial owners to the businesses that are our customers. The non-public personal information we collect and share will depend on the product or service you utilize.

The non-public personal information can include:

- Social Security number, date of birth and employment information;
- Transactions and/or transaction history; and

- Credit and/or bank account information.

We collect personal information from and about you for the following purposes:

- To carry out your requests for financial products and services;
- To comply with applicable laws and regulations, including anti-money-laundering and counter-terrorism financing legislation; and
- To protect you against fraud.

We may maintain and process your personal information outside of your country of residence. As such, your data is subject to both local and foreign legal and regulatory laws.

We may also use your information to communicate special offers, new products or features or invite you to participate in surveys or opinion-gathering devices. If you do not wish to receive such communications, you may “opt out” at the time EncoreFX collects information or at any time thereafter by contacting us at +1.844.855.1492 or email us at privacy@encorefx.com.

CONSENT

EncoreFX will advise you of the purposes for which personal information is being collected. Your consent may be implied by your acceptance of our terms and agreements or by using a product or service that you have requested. EncoreFX may explicitly request and obtain consent from you to conduct credit or personal background checks, if required.

Consent can be provided in writing, electronically or verbally. You may refuse or withdraw your consent to the collection, use or disclosure of your personal information. Doing so, however, may mean that we will be unable to provide you with the product or service that you have requested.

EncoreFX may collect, use or disclose your personal information without your consent only as authorized or required by law.

DISCLOSURE OF INFORMATION

No personal information will be disclosed to anyone outside of EncoreFX, except:

- For day-to-day operational purposes, as required to process your transactions, manage your account, managing the information technology, responding to lawful government requests, investigations or courts, or to offer you the agreed upon products and services;
- To our service providers who perform services on our behalf, such as data processing and storage, fraud prevention and detection, regulatory compliance, banking services, treasury management and payment providers;
- To credit reporting firms or agencies for the purpose of obtaining a consumer credit report to assess your credit worthiness or verify your identity;

- When the collection, use or disclosure of personal information is permitted or required by law;
- When we require legal advice from a lawyer;
- For collecting a debt;
- To protect ourselves from fraud or to investigate a breach of an agreement or a contravention of law; or
- In an emergency that threatens an individual's life, health, or personal security.

We will not use or disclose personal information for any other purpose unless we obtain explicit consent to do so.

RETAINING PERSONAL INFORMATION

EncoreFX will retain personal information as long as is necessary to fulfill the identified purposes, or as required by law. The retention periods for certain information may vary depending on the legal requirements for that information.

When personal information is no longer needed, the information will be destroyed in accordance with the retention periods set out in policy or legislation. We will use care in the disposal, destruction, or de-identification of personal information to prevent unauthorized parties from gaining access to personal information.

ACCURACY AND ACCESS OF PERSONAL INFORMATION

EncoreFX will make reasonable efforts to ensure that the personal information you provide to us remains as accurate, complete and current as possible for the purpose for which it was collected. In some instances, we ask for your assistance in keeping your information up to date, such as in the case of your address and telephone number.

Keeping your information accurate and current will help us provide you the best possible service. Customers may request correction to their personal information in order to ensure its accuracy and completeness. A request to correct personal information must be made in writing and must provide sufficient detail to identify the personal information and the correction being sought.

EncoreFX will provide you with access to your personal information except where we are prohibited by law from doing so, or are permitted by law to restrict your access and have legitimate reasons for doing so.

SECURING PERSONAL INFORMATION

We restrict information access to our employees and representatives to only those that need to know it in order to provide to you the products and services agreed to, or as required by law.

We endeavor to protect personal information from unauthorized access, alteration, collection, use, disclosure, copying, modification or disposal by using industry-recognized security standards which are reflected in physical, electronic and procedural safeguards, including system design, password protection, encryption, firewalls, data management practices, secured offices and other measures established to protect the information we hold in physical and electronic forms.

EncoreFX is responsible for personal information in its possession or control, and will take reasonable steps to protect personal information that has been transferred to a third party in accordance with this Privacy Policy and applicable laws. EncoreFX uses contractual and other means to ensure that third parties provide a comparable level of protection of your personal information to that provided by EncoreFX.

We will continually review and update our security policies and controls as technology changes to ensure ongoing personal information security.

INTERNET TECHNOLOGY AND EXTERNAL WEBSITES

Some of our services are made available to you using online services on our website. If you provide personal information using these online services or by other electronic means, the information will be collected, used and disclosed in accordance with this policy.

When you visit our website, we may collect information about your online browsing and transactions including the pages that you visit, technical information about your computer and operating systems. EncoreFX may also collect information by using cookie files. Information collected from online services is used strictly to ensure web services are functioning properly and to understand how customers utilize the website, allowing us to serve you better.

CONTACT US

In order to fulfill requests for personal information records or to address any questions or concerns about privacy at EncoreFX, please feel free to contact us by phone +1.844.855.1492, email privacy@encorefx.com or by mail:

**EncoreFX Ltd.
2nd Floor, 517 Fort Street
Victoria, British Columbia
V8W 1E7**

EncoreFX will promptly investigate all inquiries or complaints and take appropriate action or measures when justified, including amending its policies and practices.