

PRIVACY POLICY

Last updated: 11 January 2024

This **Privacy Policy** applies to any and all access to, or interactions with, the PDAX Platform and Services as defined in the User Agreement, including the PDAX website, application, software and related services (the “PDAX Platform and Services”) accessed via any platform (including all official PDAX communication channels) or device that links to this Privacy Policy, including any and all communications, correspondences and activities involving the collection or processing of personal information by PDAX and the PDAX Group (as defined in this Privacy Policy). The PDAX Platform is managed and controlled by Philippine Digital Asset Exchange (PDAX), Inc. (“PDAX” or the “Company”).

PDAX is committed to secure, protect and respect its clients’ and users’ privacy and to ensure that personal information is processed in accordance with the Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012 and its implementing rules and regulations. This Privacy Policy explains how the Company will collect, use, share or otherwise process any personal information of users, clients and other individuals in connection with the PDAX Platform. **If you do not agree with any provision of this Privacy Policy, please do not use the PDAX Platform and Services.**

Who we are

PDAX (formerly Fyntegrate Inc.) is a corporation duly registered and organized under Philippine laws with registered principal office at 31st Floor, Robinsons Cyberscape Gamma, Topaz and Ruby Roads, Ortigas Center, Pasig City, Metro Manila.

What Personal Information is Collected and Processed

What is personal information?

Personal information is any information, whether recorded in a material form or otherwise, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information, would directly and certainly identify an individual.

This includes sensitive personal information which is personal information about one’s:

- Individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- Health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;
- Information issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and
- Specifically established by an executive order or an act of Congress to be kept classified.

What personal information is collected from you?

PDAX collects personal information that is material and relevant to your account application, necessary to conduct business and provide better products and services.

PDAX may collect the following information about you:

- All personal information you provide during account opening and verification and while using the PDAX Platform such as:
 - Name
 - Email Address
 - Date of Birth
 - Sex
 - Civil Status
 - Country of Birth
 - City of Birth
 - Address
 - Citizenship
 - Biometrics (Face recognition)
 - Photo
 - Government-issued IDs
 - Employment Background
 - Name and address of employer
 - Contact details of the employer
 - Title or designation of position held
 - Proof of Address
 - Proof of Income
 - Other relevant personal information necessary to process transactions relating to your account throughout the relationship.

- Communications and correspondences with PDAX or PDAX Group. PDAX may collect or process personal information you send to us during correspondences, engagements, surveys, promotion and marketing activities and events conducted or sponsored by the Company or those collected from or processed in PDAX communication channels, including Customer Service Feedback and other information.
- Electronic Data. PDAX may collect other personal information provided by your device and your usage of the PDAX Platform such as, but not limited to, technical information (e.g., IP address, operating system, and other machine identifiers).
- Web analytics tools such as cookies and similar technologies (“Cookies”). PDAX may collect information from Cookies and other sources generated by web servers related to your usage of the PDAX Platform and other related information.
- PDAX may obtain user information from PDAX’s parent company, subsidiaries, affiliates, or such other related companies (“PDAX Group”). PDAX may also receive user information from third parties (e.g., information from a complaint or feedback submitted to us or from transaction service providers or partners) or publicly available sources such as government regulators, public authority, judicial, supervisory, tax authorities or courts of competent jurisdiction for any legitimate business purpose, pursuant to a lawful mandate or any other lawful basis under the law.

Utilization of Personal Information

How is your personal information used/processed?

Processing of personal information is done by PDAX in utmost confidentiality and in strict compliance of the Data Privacy Act of 2012, its implementing rules and regulations, and the Company’s Privacy Policy, for purposes the Company deems fit and necessary, which include, but not limited to, the following:

- A. The implementation and handling of PDAX account, customer profiling, and risk assessment,
- B. Compliance with applicable Philippine laws and regulations including the Anti-Money Laundering Act, its implementing Rules and Regulations, and any pertinent circulars released by Bangko Sentral ng Pilipinas (BSP) and other relevant agencies,
- C. Compliance with PDAX’s contractual obligations, including data sharing and outsourcing agreements with partners and authorized third party service providers.

In addition to the above mentioned purposes, the information collected shall likewise be processed for the following purposes:

- To meet the lawful objectives of the business of the Company consistent with industry standards;
- To facilitate registrations and the provision of services within, and to manage and operate, the PDAX platform (including troubleshooting, data analysis, testing, research, statistical, and survey purposes and to solicit your feedback);
- To provide better products and services;
- To establish, exercise, or defend legal claims against the Company or any of its affiliates, officers, employees and representatives;
- To deliver marketing and promotional offers and sharing of information to affiliates for cross-selling of products and services based on your communication preferences; and
- To fulfill any other purposes related to the above-stated purposes.

Personal Information Disclosure

Related to your transaction with PDAX or the use of the PDAX Platform, PDAX may disclose your personal information to the following:

- A. PDAX Group, business partners, service providers and other entities engaged by the Company or the PDAX Group to support PDAX business (such as account administration and/or implementation and maintenance of other PDAX products, facilities, and services) and perform outsourced functions (such as KYC policy implementation, printing, processing, and distribution of statement of accounts). When the processing of your personal data is outsourced or when your personal data is shared by PDAX to a third party, the processing is subject to written agreements between the Company and the relevant third parties. These written agreements specify the rights and obligations of each party, the clear and specific purposes for the personal data processing, and complete and adequate security measures in accordance with the Data Privacy Act of 2012, its implementing rules and regulations, and the Company's Privacy Policy;
- B. PDAX Group, to assist in the collection, recording, organization, storage, modification, retrieval, use, consolidation, blocking, erasure, destruction of data, administration, implementation, and servicing of accounts, other products, and facilities;
- C. Philippine or foreign government regulatory and/or enforcement agencies for reports relating to your account history including, but not limited to, your past dues, limit breaches, covered and suspicious transactions, and

- other reports ordered or requested by such regulatory/enforcement agencies;
- D. Government bodies or agencies having regulatory supervision over the Company or the PDAX Group; and
 - E. Such other persons or entities that PDAX may deem to have authority or right to receive information including, but not limited to, the following:
 - a. Payment channels and other facilitators; and
 - b. Banks and other validly registered financial institutions

The Company may also transfer your personal information to third parties as required by law or legal instrument, to protect the Company's rights or assets, to facilitate acquisition or disposition of the Company's businesses, and in emergencies where the health or safety of a person is endangered.

The Company will not sell, rent, share, trade, or disclose any of your personal data for commercial purposes to any other party without your prior written consent. The Company may share your personal data to the PDAX Group to provide the services and products within the Platform, optimize and improve the Platform, and to fully support PDAX Platform users.

Retention Period for Personal Information

The Company shall retain or store the information collected, received and/or processed for as long as the purposes for which they are being processed have not been satisfied. Your Personal Information shall be retained throughout your usage of the PDAX Platform and your subscription to any PDAX's products and services. In compliance with the law, all transaction records will be maintained and safely stored for five (5) years from the date of transaction. With respect to closed accounts, the records on customer identification, account files and business correspondences, are preserved and safely stored for at least 5 years from the date of closure. PDAX may, however, retain your personal information for more than five (5) years, should there be any legal or regulatory requirement or any case pending which includes your information on any court of competent jurisdiction, in accordance with law.

The Company will retain and use your Personal Information as necessary to comply with its legal and regulatory obligations such as with Bangko Sentral ng Pilipinas and the Anti-Money Laundering Act (AMLA), resolve disputes, and enforce its agreements:

- A. Hard copies of the forms you submitted, as well as all records that are relevant to the maintenance of your account, may be stored in the Company premises in a secure cabinet or in an off-site warehouse managed by a third-party service provider.

- B. Forms and documents which contain your personal information will be digitized and stored on the Company's information management system hosted by the Company on-site or in the premises of an authorized third-party service provider.
- C. The Company shall ensure, using contractual and other reasonable means, that the third-party service provider implements proper safeguards to ensure the confidentiality, integrity, and availability of the personal data processed, prevent its use for unauthorized purposes, and comply with the requirements of the DPA, its Implementing Rules and Regulations, and other applicable laws for processing of personal data, and other issuances of the NPC.

Information Security

PDAX has put in place physical, electronic, and managerial procedures designed to help prevent unauthorized access, to maintain data security, and to use the Information we collect and process in the correct and proper manner. These safeguards vary based on the sensitivity of the Information that we collect, store, and process.

Personal Information of Other Individuals

You understand, agree and warrant that any personal information of other individuals that you disclosed to PDAX is obtained and disclosed to PDAX with appropriate consent of the relevant individual in accordance with the law and this Privacy Policy to allow PDAX to use, store, and process such personal information for purposes stated in this Privacy Policy including PDAX's compliance with regulatory requirements, and for the application and administration of your account.

You further undertake to furnish PDAX with written proof of such consent or your written authority to give such consent relating to the disclosure and processing of the other individual's personal information for the legitimate purposes stated herein.

Rights related to User Information

Under the Data Privacy Act, individual users, in relation to your own personal information, have the right to:

- A. Be informed that your personal information will be collected and processed;
- B. Be furnished information in relation to the processing of your personal information;
- C. Reasonable access to your personal information held by PDAX;
- D. Dispute any error in your personal information and have it corrected,

- E. Erase or block your personal information from PDAX's system if said information is incomplete, outdated, false, unlawfully obtained, used for unauthorized purposes or no longer necessary for the purposes for which they were collected,
- F. Object to the processing of your personal information,
- G. Lodge a complaint before the National Privacy Commission; and
- H. Claim for damages sustained due to inaccurate, incomplete, outdated, false, unlawfully obtained, or unauthorized use of your personal information.

Any question from, or exercise of such rights by, a PDAX Platform user may be coursed to the Company's Data Protection Officer. Please see the section below on *Data Protection Officer*.

Privacy Policy update

Aligned with the Company's commitment to protecting your personal information, the Company may update this Privacy Policy from time to time. Subject to prior notice and applicable notice period required by law, the Company will notify of such updates by updating the "Last Updated" date at the top of this Privacy Policy. Your continued access to or use of the PDAX Platform after the date of the updated policy constitutes your acceptance of the updated policy. If you do not agree to the updated policy, you must stop accessing or using the PDAX Platform.

Data Protection Officer

Any questions, complaints or requests regarding this Privacy Policy or a PDAX Platform user's personal information may be coursed through via email to PDAX Data Protection Officer at dpo@pdax.ph.

For more information regarding Data Privacy Act, you may visit privacy.gov.ph