



## Interactive Brokers Central Europe Zrt. Privacy Policy Supplement

### INTRODUCTION

This amendment is valid for the data processing performed by Interactive Brokers Central Europe Zrt. ("IBCE"), incorporated and registered in Hungary with company registry number 01-10-141029 whose registered office is at 1075 Budapest, Madách Imre út 13-14. IBCE is an affiliate of IBKR and everything set out in the main part of this policy is also valid for IBCE.

Questions or requests involving the processing of personal data by IBCE may be addressed to IBCE's data protection officer at [dpo@ibkr.com](mailto:dpo@ibkr.com).

### DEFINITIONS

The following terms shall have the following meaning:

'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

'restriction of processing' means the marking of stored personal data with the aim of limiting their processing in the future;

'profiling' means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;

'controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

'processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

'recipient' means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;

'third party' means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;

'consent' of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;

'supervisory authority' means the Hungarian National Authority for Data Protection and Freedom of Information.

### DATA PROCESSING PERFORMED BY IBCE

IBCE performs the following data processing activities:

Data Processing Activity	Processed personal data	Purpose	Legal Basis	Recipient of the Personal Data	Period of Storing
Anti-money laundering due diligence and transaction monitoring.	Potentially every piece of information regarding trading activities, funds of the client and information necessary for the due diligence and to identify the beneficial owner as set out in sections 7-9. of the AML act.	To perform the obligations prescribed by the AML regulation.	Article 6 (1) c) of the GDPR (legal obligation where the legal obligation is prescribed by Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing).	Financial Information Unit in case of reporting a suspicious transaction.	Eight years from the termination of the business relationship with the client.
Anti-money laundering due diligence <b>via video call</b> (audited, direct way of electronic means of communication, as regulated in the AML Act and the Decree No. 26/2020 (VIII.25.) of the National Bank of Hungary).	Information necessary for the due diligence as set out in sections 7-9 of the AML Act and in sections 17-19 in the Decree No. 26/2020.	To perform the obligations prescribed by the AML Act.	Article 6. (1) (c) of the GDPR (legal obligation where the legal obligation is prescribed by Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing).  Where special categories of personal data are processed Article 9(2) a) of the GDPR.		Eight years from the termination of the business relationship with the client.
Anti-money laundering due diligence <b>via indirect way of electronic means of communication</b> (audited electronic means of communication, as regulated in the AML Act and the Decree No. 26/2020 (VIII.25.) of the National Bank of Hungary).	Information necessary for the due diligence as set out in sections 7-9 of the AML Act and in sections 8-16 in the Decree No. 26/2020.	To perform the obligations prescribed by the AML Act.	Article 6 (1) (c) of the GDPR (legal obligation where the legal obligation is prescribed by Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing).  Where special categories if personal data are processed Article 9 (2) a) of the GDPR.		Eight years from the termination of the business relationship with the client.
Conclusion of client agreement and various other agreements thereunder	Name (corporate name), address, registry number, tax number, bank account number, ID document number	To prepare and conclude client agreement	Article 6 (1) b) of the GDPR (performance of a contract)		Five years after the termination of the agreement.
FATCA and CRS reporting	Name (corporate name), address, Tax residency	To perform reporting obligations	Article 6 (1) c) of the GDPR (legal obligation where the legal obligation is prescribed by Act XXXVII. of 2013 and Act XIX of 2014.	Hungarian Tax Authority, IRS and other foreign tax authorities.	Five years after the performance of the reporting obligation
Performing the obligation regarding MiFID appropriateness test	Contents of the MiFID test (the experience of the client regarding investment in asset classes)	To perform the obligation regarding MiFID appropriateness test	Article 6 (1) c) of the GDPR (legal obligation where the legal obligation is prescribed by article 56 of regulation 2017/565/EU)		Five years after the termination of the agreement.
Client complaint handling	Client's name, contents of the complaint		Article 6 (1) c) of the GDPR (legal obligation where the legal obligation is prescribed by section 121. of Act CXXXVIII of 2007 on Investment Firms)		Five years from the receipt of the complaint.
Recording of client communications	Contents of the communication (either written or recorded telephone calls)	To perform recording obligation	Article 6 (1) c) of the GDPR (legal obligation where the legal obligation is prescribed by article 76 of regulation 2017/565/EU)		Five years from the recording.
Recordkeeping for accounting purposes	Contents of any accounting documents (agreements, receipts, invoices, etc.)	To perform recordkeeping obligation	Article 6 (1) c) of the GDPR (legal obligation where the legal obligation is prescribed by section 169 of Act C of 2000 on accounting)		Eight years

Where the legal basis of the data processing is the conclusion or performance of the agreement, the consequence of failure to provide such data by the client results in the agreement not being concluded. Where the legal basis of the data processing is obligation by law, consequence of failure to provide such data by the client results in the termination of the client agreement by IBCE and the possible reporting of the failure of provision to the competent authority.

## RIGHTS OF THE DATA SUBJECTS

You have the right to request the rectification and completion, deletion, restriction of your personal data, as well as to request information and access to the personal data processed by IBCE or to withdraw your previous consent by sending a request via e-mail ([dpo@ibkr.com](mailto:dpo@ibkr.com)) or mail (1075 Budapest, Madách Imre út 13-14). These rights are set out in Articles 15-18 and 21 of the GDPR and are detailed below.

#### **Right to information:**

IBCE shall take appropriate measures to provide you with information on the processing of personal data in accordance with this policy (all information referred to in Articles 13 and 14 of the GDPR and all information pursuant to Articles 15-22 and 34) in a concise, transparent, comprehensible and easily accessible form, worded in a clear and comprehensible manner, but in a precise manner.

#### **Right of access:**

You have the right to access your personal data (receive a copy) and to receive feedback from IBCE as to whether your personal data is being processed. If personal data is being processed, you have the right to be informed of the personal data and the following information:

- the purposes of data management;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or will be communicated, including in particular recipients in third countries (outside the European Union) or international organizations;
- the planned duration of the storage of personal data;
- the right to rectify, erase or restrict data processing and to protest;
- the right to lodge a complaint with the supervisory authority;
- information on data sources; the fact of automated decision-making, including profiling, and comprehensible information on the logic used and the significance of such data management and the expected consequences for the data subject.

#### **Right of rectification:**

You may request the correction of inaccurate personal data concerning you managed by the Data Controller and the completion of incomplete data.

#### **Right of cancellation:**

**You have the right to have your personal data deleted without undue delay at your request for any of the following reasons:**

- personal data are no longer required for the purpose for which they were collected or otherwise processed;
- you withdraw your consent to the processing and there is no other legal basis for the processing;
- you object to the processing and there is no overriding legitimate reason for the processing;
- unlawful processing of personal data can be established;
- personal data must be deleted in order to fulfill a legal obligation under EU or Member State law applicable to the controller;
- personal data were collected in connection with the provision of information society services.

**Deletion of data may not be initiated if the data processing is necessary for the following purposes:**

- to exercise the right to freedom of expression and information;
- to fulfill an obligation under EU or Member State law applicable to the controller to process personal data or to carry out a task carried out in the public interest or in the exercise of a public authority conferred on the controller;
- in the field of public health, or for archival, scientific and historical research purposes or for statistical purposes, in the public interest; or
- to bring, assert or defend legal claims.

#### **Right to restrict data processing:**

At your request, the processing may be restricted under the conditions set out in Article 18 of the GDPR:

- you dispute the accuracy of your personal information, in which case the restriction applies to the period of time that allows you to verify the accuracy of your personal information;
- the data processing is illegal and you oppose the deletion of the data and instead ask for a restriction on its use
- the data controller no longer needs the personal data for the purpose of data processing, but you require them to make, enforce or protect legal claims;
- you object to the data processing; in this case, the restriction applies for as long as it is determined whether the legitimate reasons of the Data Controller take precedence over your legitimate reasons.

Where data processing is restricted, personal data may be processed, with the exception of storage, only with the consent of the data subject or for the purpose of bringing, enforcing or protecting legal claims or protecting the rights of another natural or legal person or in the important public interest of the European Union or a Member State. You must be informed in advance of the lifting of the data processing restriction.

**Withdrawal of consent:**

You have the right to withdraw your consent to data processing at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

**Rules of procedure:**

IBCE shall inform you without undue delay, but in any case within one month from the receipt of the request, of the action taken on the request. If necessary, taking into account the complexity of the application and the number of applications, this time limit may be extended by a further two months. IBCE will inform you of the extension of the deadline, indicating the reasons for the delay, within one month from the receipt of the request.

If IBCE does not take action on your request, it shall inform you without delay, but no later than one month from the receipt of the request, of the reasons for the non-action and that you may lodge a complaint with the supervisory authority and have a judicial remedy.

IBCE shall inform all recipients to whom it has communicated personal data of any rectification, erasure or restriction on the processing of personal data, unless this proves impossible or requires a disproportionate effort. At your request, IBCE will inform these recipients.

**Remedies:**

If you believe that your data protection rights have been violated, you may lodge a complaint with IBCE or with the competent supervisory authority or enforce your claim before the competent court.

National Authority for Data Protection and Freedom of Information:

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