

Brokerage Company “Rioni Capital”
POLICY
on the Protection of Clients’ Personal Data

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1. GENERAL PROVISIONS

- 1.1.** This Personal Data Protection Policy (hereinafter, the “Policy”) defines the principles, conditions and rules for the processing of personal data by Rioni Capital Limited Liability Company (hereinafter, the “Company”), including the rights of data subjects and the obligations of the Company in the field of personal data protection.
- 1.2.** The Policy has been developed and is applied in accordance with the requirements and obligations of the legislation of Georgia, including:
- Law of Georgia No. 3144-XI⁰⁶-X⁰³ (14 June 2023) “On Personal Data Protection”;
 - other relevant normative acts applicable to the Company’s activities (including requirements effective in the financial sector), to the extent that they relate to the processing/protection of personal data.
- Where, due to the specific nature of the Company’s activities / geography of clients or contractual relationships, the requirements of the GDPR (Regulation (EU) 2016/679) may additionally be relevant, the Company takes into account the relevant GDPR standards in such a way that the unity of the Policy and its equal application in relation to clients/data subjects are not compromised.
- 1.3.** The Policy applies to all employees, representatives, contractors and clients of the Company (including potential clients) whose personal data are processed by the Company on grounds permitted by law.

2. 2. TERMS AND DEFINITIONS

- 2.1.** Client / user — means any natural or legal person from whom or on whose behalf the Company receives, holds or keeps funds or securities in an account of such person.
- 2.2.** Personal Data — means any information relating to an identified or identifiable natural person (data subject); an identifiable natural person is a person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, identification number, location data, online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of such natural person.
- 2.3.** Data Processing — means any operation or set of operations performed on personal data or sets of personal data by automated or non-automated means, including: collection, recording, organisation, structuring, storage, correction or alteration, retrieval, consultation, use, transfer or dissemination, making available, rectification or combination, restriction, erasure or destruction.
- 2.4.** Data Subject — is an individual in relation to whom personal data are processed. This includes partnerships and groups of individuals, but does not extend to legal entities. For the purposes of this Policy, all clients and employees are considered data subjects.
- 2.5.** Data Controller — a person who (alone or jointly with another person) determines the purposes and methods of the processing of personal data.
- 2.6.** Data Processor — any person (other than an employee of the Company) who processes data on behalf of the Company.
- 2.7.** Terms not set out in this section shall be used in the meaning provided in the Company’s Glossary (Appendix No. 16 to the Regulations), or in accordance with Law of Georgia No. 3144-XI⁰⁶-X⁰³ “On Personal Data Protection”, and where national law does not regulate a specific term, the definitions of the GDPR (Regulation (EU) 2016/679) shall apply.

3. 3. SCOPE OF APPLICATION AND PURPOSE

- 3.1.** The purpose of the Policy is to explain the conditions, grounds and principles of the Company's processing of personal data and special category data (where applicable) in accordance with the legislation of Georgia.
- 3.2.** The main purposes of the processing of personal data include:
- a.** conclusion / performance of a contract with the Client;
 - b.** fulfilment of legal obligations imposed on the Company (including compliance with relevant regulatory / supervisory requirements);
 - c.** pursuing the legitimate interests of the Company or a third party (for example, security of services, fraud prevention, conduct and defence of disputes / claims, improvement of service quality, marketing, where permitted by law).
- 3.3.** The Company shall be entitled to process data for other purposes as well, if this is permitted by law and the data subject is provided with the relevant information.
- 3.4.** The purposes of processing and legal bases may additionally be set out in an appendix / notice in Appendix No. 1.
- 3.5.** The Policy covers both personal data and special category personal data (as defined by Article 4 GDPR) held by the Company in relation to data subjects.
The Policy applies to both automated and non-automated processing.

4. 4. GENERAL PRINCIPLES

- 4.1.** The Company processes data relating to natural persons who are clients / potential clients, representatives of clients, beneficial owners, directors, authorised persons and other related persons — to the extent necessary for the purposes.
- 4.2.** Personal data means all information that the Company has obtained from its clients, third parties or publicly available sources on a lawful basis, including but not limited to the following:
- data from questionnaires and other completed forms;
 - data on property, property rights and obligations;
 - contract data (including title, number and date of conclusion);
 - data on accounts opened with the Company or with third parties;
 - information on operations and transactions carried out by the Client or on behalf of or in the interest of the Client;
 - data subsequently obtained (updated or amended) that are provided to the Company.
- 4.3.** All processing of personal data is carried out on the basis of compliance with the following principles:
- lawfulness, fairness and transparency — personal data are processed lawfully, fairly and transparently in relation to the data subject;
 - purpose limitation — data are collected for specific, explicit and legitimate purposes and are not further processed in a manner incompatible with those purposes; however, further processing for archiving purposes, public interest, scientific or historical research or statistical purposes shall not be considered incompatible (the principles of data processing are determined in accordance with Article 5 of Law of Georgia No. 3144-XI⁰⁶-X⁰³);
 - data minimisation — data must be adequate, relevant and limited only to the extent necessary for the purposes of their processing;
 - accuracy — data must be accurate and, where necessary, kept up to date; all reasonable measures must be taken to ensure that inaccurate data are erased or rectified without delay;

- storage limitation — data are retained for the period necessary for the purposes of processing; longer retention is permitted only if required by applicable law, subject to implementation of the relevant technical and organisational safeguards;
- integrity and confidentiality — data are processed in such a manner as to ensure their security, including protection against unauthorised or unlawful processing, accidental loss, destruction or damage, through the application of appropriate technical and organisational measures.

5. DUTIES AND RESPONSIBILITIES

- 5.1.** The Company undertakes to comply with the legislation of Georgia on personal data protection and to ensure implementation of the rights of data subjects in the manner prescribed by law.
- 5.2.** The Company implements appropriate technical and organisational measures for data security.
- 5.3.** Employees / divisions working with personal data are responsible for compliance with this Policy and internal procedures.
- 5.4.** Where necessary, the Company appoints a Data Protection Officer (DPO) in accordance with the requirements of the law.
- 5.5.** All employees of the Company are obliged to comply with the provisions of this Personal Data Protection Policy and act in full accordance with its requirements.

6. LEGAL BASES FOR THE PROCESSING OF PERSONAL DATA

- 6.1.** The processing of personal data is carried out on legal grounds permitted by the legislation of Georgia (for example, contract, legal obligation, legitimate interest, consent — where required).
- 6.2.** Where processing is based on legitimate interest, the Company ensures an assessment of the balance of interests, and the data subject shall be entitled to challenge the relevant processing in the manner prescribed by law.

7. PROCESSING OPERATIONS AND MEANS

- 7.1.** The following actions shall be considered data processing operations: collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, transfer, dissemination or otherwise making available, rectification or combination of data, restriction, erasure, destruction — or any other operation carried out in accordance with the purposes and principles of data processing.
- 7.2.** The processing of personal data may be carried out by automated or non-automated means. Information processing is carried out in compliance with the technical and organisational security measures established by the legislation of Georgia.

8. CATEGORIES OF RECIPIENTS OF PERSONAL DATA

- 8.1.** The possible recipients of personal data may include the following categories of persons:
 - third parties involved in servicing the data subject — including brokers, custodians, depositories, banks, trading venues (including trading venues of third countries), software and market data providers, competent authorities of Georgia and third countries;

- any person authorised to conduct an audit or similar review of the activities of the Company or third parties involved in the servicing and marketing of the data subject — both in Georgia and outside Georgia.
- 8.2.** Cross-border transfer of data is carried out on the basis of Article 37 of Law of Georgia No. 3144-XI06-X03 “On Personal Data Protection”.
Transfer of personal data is freely permitted to countries included in the official list of countries with an adequate level of protection published by the Personal Data Protection Service.
- 8.3.** If the recipient country is not included in the official list of countries with an adequate level of protection, the Company ensures appropriate legal / contractual and organisational-technical safeguards for the transfer; where necessary — the existence of authorisation of the Personal Data Protection Service / consideration of the relevant requirement.

9. RIGHTS OF THE DATA SUBJECT

- 9.1.** The data subject enjoys rights in accordance with the legislation of Georgia. In cases where the GDPR may additionally be relevant, the Company also ensures the relevant GDPR standards, to the extent that this does not contradict the legislation of Georgia.
- 9.2.** Right to withdraw consent — where processing is based on consent, the data subject may withdraw it; withdrawal shall not affect the lawfulness of processing carried out prior to withdrawal.
- 9.3.** Right of access — the data subject may request information about the processing of his/her data and a copy thereof in the manner prescribed by law.
- 9.4.** Right to rectification — rectification / supplementation of inaccurate data in the manner prescribed by law.
- 9.5.** Right to erasure — the data subject may request erasure where there are no legal grounds for further retention of the data.
- 9.6.** Right to restriction of processing — in cases provided for by law.
- 9.7.** Right to object — on grounds provided by law, including objection to direct marketing (if applicable).
- 9.8.** Right to lodge a complaint — the data subject shall be entitled to apply to the Personal Data Protection Service or to a court in the manner prescribed by law.

10. RETENTION PERIODS OF PERSONAL DATA

- 10.1.** The Company retains personal data for the period necessary for the purposes of processing and the fulfilment of obligations established by law / regulation.
- 10.2.** Specific retention periods are determined by:
- the nature of the contractual relationship;
 - the Company’s regulatory / compliance obligations (for example, AML/KYC documentation, reporting, defence in disputes / claims);
 - limitation / evidence retention requirements established by law, and others.

11. REQUIREMENTS FOR THE PROVISION OF PERSONAL DATA

- 11.1.** Most data are provided to the Company through completion of questionnaires / forms and within the KYC / AML process.
- 11.2.** The same data are often necessary both for performance of the contract and for fulfilment of legal obligations.
- 11.3.** The consequence of failure to provide data may be the Company's refusal to enter into the contract or the limitation / termination of services to the extent permitted by law.

12. CHANGES TO THE TERMS OF PERSONAL DATA PROCESSING

- 12.1.** The Company shall be entitled to amend the Policy unilaterally by publishing a new version on the official website of the Company: <https://rioni-capital.ge/>
- 12.2.** The amendments shall enter into force on the date of publication / the date specified in the Policy.

13. REVIEW OF THE POLICY

- 13.1.** The Policy shall be reviewed annually or in the event of a material change affecting procedures, principles and obligations in the field of data protection.

APPENDIX No. 1

Purposes of Personal Data Processing and Legal Bases

No.	Personal data / specific operation	Purpose	Legal basis
1	Data specified in forms and questionnaires, including the W-8BEN form, as well as data obtained as a result of the agreement concluded within the framework of the terms for the provision of investment and related services, and other agreements related to the conclusion and performance of such agreement (including transactions and operations carried out through the Company or with the Company).	Conclusion and/or performance of an agreement to which the subject (client) is a party — provision of investment and related services, as well as other agreements related to their performance.	Processing is necessary for the performance of an agreement to which the subject is a party, or for taking steps at the request of the subject prior to entering into an agreement.
2	Personal data required in accordance with the applicable legislation of the European Union or the Member State to which the controller is subject.	Fulfilment of legal obligations provided by law, including prevention of money laundering and terrorist financing, tax reporting (FATCA, CRS) and compliance with international regulatory requirements.	Processing is necessary for compliance with the controller's legal obligations in accordance with Law of Georgia No. 3144-XI06-X03; in international relations — on the basis of the relevant foreign legislation.
3	Personal data required by virtue of the regulatory requirements of the relevant foreign state, agreements or the nature of the legal dispute.	Processing on the basis of the legitimate interests of the controller or a third party involved in servicing the client (broker, depository, custodian, bank) — to ensure compliance with the regulatory requirements of a foreign state (in particular the USA, the United Kingdom, CIS countries and other states, including FATCA). Also performance of agreements on the basis of the legitimate interests of the controller and defence of legal claims.	Processing is necessary for the purposes of the legitimate interests of the controller or a third party. Said interests are described in the second column.
4	Contact information, including name and e-mail address.	Marketing of financial products and services (including direct marketing) and related services (trading platforms, market data services, etc.).	The subject has given consent to the processing of personal data for the specified purposes.
5	Transfer of the client's personal data to third countries which are not	Ensuring compliance with FATCA requirements by the	The subject has given consent to the processing

No.	Personal data / specific operation	Purpose	Legal basis
	recognised by the European Union as ensuring an adequate level of data protection. The data are used to fulfil FATCA requirements (name, citizenship, address, date of birth, tax residence, TIN, account information, balance, income, withheld taxes, etc.).	Company and its partner institutions (where FATCA applies outside the framework of an agreement between Georgia and the United States).	of data for one or more specific purposes. Where transfer is necessary for the performance of the agreement, the data may be transferred without consent.
6	Personal data required by the legislation of the European Union, the United States, the United Kingdom or a Member State.	Fulfilment of legal obligations established by law (including AML/CFT, MiFID II, MiFIR, FATCA, CRS, Market Abuse and others).	Processing is necessary for compliance with legal obligations.
7	Personal data required by virtue of the regulatory requirements of the relevant foreign state, agreements or the nature of the legal dispute.	Processing on the basis of the legitimate interests of the controller, the subject or third parties, including performance of agreements concluded for the provision of investment and related services, compliance with foreign regulation and exercise of legal rights.	Processing is necessary for the purposes of the legitimate interests of the controller or a third party.
8	Transfer of the subject's data to third countries which are not recognised by the European Union as ensuring an adequate level of data protection.	Processing on the basis of legitimate interests related to the process of defending or exercising legal claims (Article 49 GDPR).	The subject has given consent to the processing of data for one or more specific purposes.
9	Personal data required in accordance with the legislation of the European Union or a Member State.	Fulfilment of legal obligations, including AML/CFT, prevention of market manipulation and other legislation.	Processing is necessary for compliance with the controller's legal obligations.
10	Personal data necessary for achieving the relevant purposes.	Conclusion / performance of the agreement between the subject and the Company and processing on the basis of the legitimate interests of the controller or a third party related to the defence of legal claims and provision of services.	Processing is necessary for the purposes of the legitimate interests of the controller or a third party.