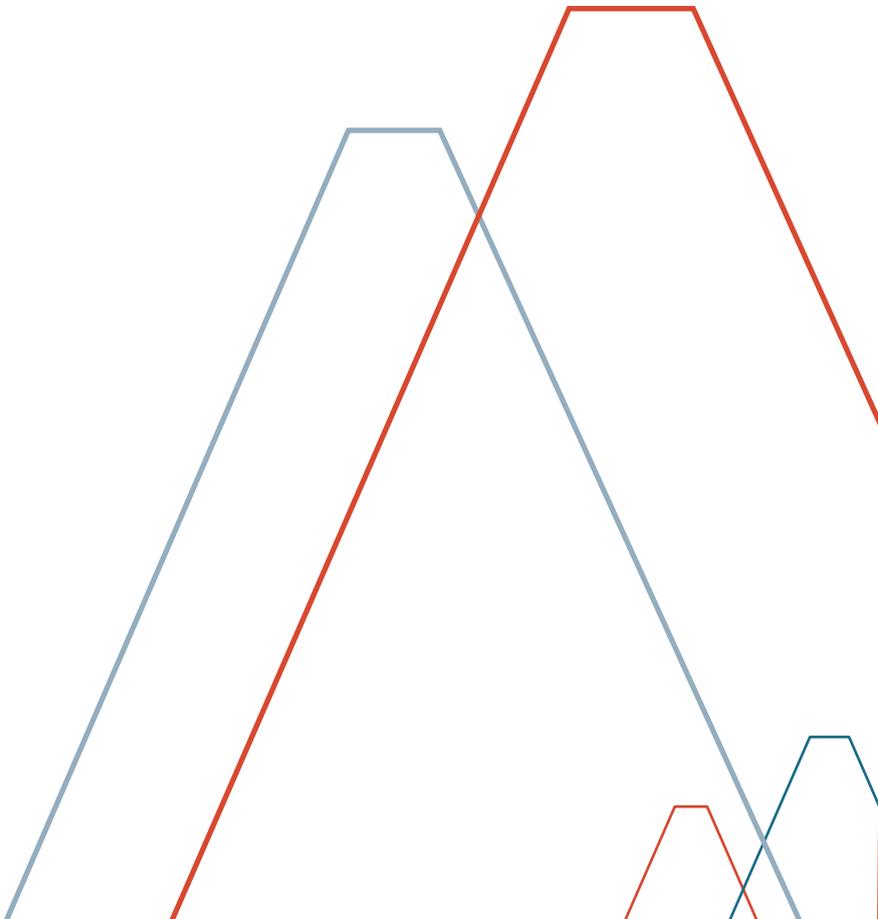


# OPTIVER PRIVACY POLICIES AND DISCLAIMERS

VERSION FEBRUARY 2022



## Table of Contents

<b>1. OPTIVER EUROPE PRIVACY POLICY .....</b>	<b>4</b>
1.1 Objective	4
1.1 Personal data we collect	4
1.2 How we collect personal data	4
1.3 Purpose and lawful grounds for processing	4
1.4 Use of third parties (processors) and disclosure of personal data	5
1.5 Transfer of personal data	6
1.6 Retention of personal data	6
1.7 Access to and correction of personal data	7
1.8 Questions and complaints	7
<b>2. OPTIVER EUROPE DISCLAIMER.....</b>	<b>8</b>
2.1 Legal disclaimer	8
2.2 Cookies	8
2.3 (Intellectual) property and use of our website	8
2.4 Links	9
2.5 Disclaimer of warranty & limitation of liability	9
<b>3. OPTIVER AMERICAS PRIVACY POLICY .....</b>	<b>10</b>
3.1 Introduction	10
3.2 Details	10
3.2.1 Collecting personal information.....	11
3.2.2 Holding personal information.....	11
3.2.3 Use of personal information .....	12
3.2.4 Disclosure of personal information.....	12
3.2.5 Cross-border data flows .....	13
3.3 Access to, and correction of personal information	13
3.4 Complaints	13
<b>4. OPTIVER AMERICAS DISCLAIMER.....</b>	<b>14</b>
4.1 Legal disclaimer	14
4.2 Cookies	14
4.3 Intellectual property and use of our website	14
4.4 Links	15
4.5 Disclaimer of warranty & limitation of liability	15
4.6 Rights of applicants and employees	15
<b>5. OPTIVER APAC PRIVACY POLICY.....</b>	<b>16</b>
5.1 Background	16
5.1.1 Objective.....	16
5.1.2 European Personal Data .....	16
5.1 Details	16
5.1.1 What is personal information and sensitive information?.....	16
5.1.2 The kinds of personal information Optiver may collect and hold .....	17
5.1.3 Collecting personal information.....	17
5.1.4 Holding personal information.....	18
5.1.5 Retention of personal information.....	19
5.1.6 Use of personal information .....	19

5.1.7	Disclosure of personal information.....	21
5.1.8	Transborder Dataflows .....	22
5.2	Access to, and correction of, personal information and other enquiries	23
5.3	Complaints	25
5.4	Changes to this Policy	26
<b>6.</b>	<b>OPTIVER AUSTRALIA WHISTLEBLOWER POLICY.....</b>	<b>27</b>
6.1	Purpose	27
6.1.1	Scope .....	27
6.1.2	Definitions.....	27
6.2	Making a disclosure	28
6.3	Who can receive a disclosure?	28
6.1.3	Internal disclosure .....	28
6.1.4	External disclosure.....	28
6.4	Protections	30
6.4.1	Internal .....	30
6.4.2	External.....	31
6.4.3	Legal action .....	31
6.5	Support and protection from detriment	31
6.6	Investigation into a disclosure	32
6.7	Treatment of employees mentioned in a disclosure	32
6.8	Escalation of breaches	32
<b>7.</b>	<b>OPTIVER CHINA PRIVACY NOTICE .....</b>	<b>34</b>
7.1	Objective	34
7.2	Types of personal information we process	34
7.3	Purposes for processing	35
7.4	Legal basis for processing	35
7.5	Disclosure of personal information	36
7.6	Cross-border transfer of personal information	37
7.7	Retention of personal information	37
7.8	Exercising your rights to personal information we hold	37
7.9	Changes to this policy	38
7.10	Questions and complaints	38
<b>8.</b>	<b>TAIWAN PRIVACY NOTICE.....</b>	<b>40</b>
8.1	Notice of collection, processing and use of personal information	40
8.2	Purposes of collecting personal information	40
8.3	Classification of the personal information	40
8.3.1	Time period, areas, parties and ways of using personal information .....	41
8.3.2	According to article 3 of the pipa, you may exercise following rights by means of words, written document, telephone, text message, email, facsimile or other manners, with regard to your personal information collected by Optiver .....	42
8.3.3	Impact of the rights and interests if not providing personal information.....	42



## 1. OPTIVER EUROPE PRIVACY POLICY<sup>1</sup>

### 1.1 Objective

This policy sets out how Optiver Europe, in its capacity as controller, processes personal data and how you may seek access to or correct your personal data, and request to have your personal data erased. Optiver Europe processes personal data in compliance with applicable European data protection laws, including the Regulation (EU) 2016/679 (General Data Protection Regulation) and the Data Protection Act 2018 (UK GDPR), (together the “**GDPR**”). Please read this policy carefully.

### 1.1 PERSONAL DATA WE COLLECT

Optiver Europe may collect personal data from an individual, for example, through a job application process, in relation to a procurement process, or if an individual requests information or otherwise engages with Optiver Europe. Optiver Europe may ask an individual to provide their first and last name, contact information, date of birth, financial information such as tax identification number(s) or bank account details, pre-employment screening information, certification information, details of qualifications, information about transactions with Optiver Europe or employees of third-party suppliers or contractors, licences and information collected incidentally to the management of operational activities or personal data required to fulfill legal and regulatory requirements, such as anti-money laundering checks, monitoring and Know Your Customer obligations, to which Optiver Europe is subject.

### 1.2 HOW WE COLLECT PERSONAL DATA

Optiver Europe will generally only collect personal data from the relevant individual, unless in Optiver Europe's opinion it is unreasonable or impracticable to do so. However, not all of the personal data Optiver Europe holds about an individual will come directly from the individual. It may, for example, come from publicly available information, previous or current employers, third party referees, government agencies, pre-employment screening agencies or other organisations to which the individual belongs.

If an individual elects to not give Optiver Europe their personal data, Optiver Europe may be unable to employ them, or procure services or otherwise engage with the individual or the organization it represents.

### 1.3 PURPOSE AND LAWFUL GROUNDS FOR PROCESSING

**Administration.** If an individual engages with Optiver Europe, Optiver Europe may use personal data. Such processing is legally permissible under Art. 6(1)(f) GDPR as necessary for the purposes of the legitimate interests pursued by Optiver Europe, which are managing the relationship, verifying the individual's identity and sending relevant information.

---

<sup>1</sup> Optiver Europe means the group of companies comprised by Optiver Services B.V., Optiver VOF, AMS Derivatives B.V. and Optiver Europe Investments B.V., all based in Amsterdam (Strawinskylaan 3095, 1077 ZX Amsterdam, the Netherlands) as well as Optiver UK Limited, Optiver UK Trading Limited and Optiver FX Limited, both based in London (Heron Tower, Level 17-19, 110

Bishopsgate, London, EC2 N4AY United Kingdom).

**Counterparty.** For the purpose of entering into and performing contracts with you or the business you are related to, Optiver Europe may request/require and process certain personal data. By way of example, you may be an employee, contact person, shareholder, authorized signatory or ultimate beneficial owner of one of our counterparties. Such processing is legally permissible under Art. 6(1)(b) GDPR as necessary for the purposes of performance of a contract by Optiver Europe, which includes accepting counterparties, carrying out risk assessments, risk management, reporting, carrying out our business activity and fulfilling our legal and regulatory requirements.

**Recruitment.** When you apply to a job on this site, your personal data will be processed for the purposes of managing Optiver Europe's recruitment related activities, which include setting up and conducting interviews and tests for applicants, evaluating and assessing the results thereto, and as is otherwise needed in the recruitment and hiring processes. Such processing is legally permissible under Art. 6(1)(f) GDPR as necessary for the purposes of the legitimate interests pursued by Optiver Europe, which are the solicitation, evaluation, and selection of applicants for employment.

**Legal obligations.** Optiver Europe may be required to process personal data for legal and compliance reasons, such as the prevention, detection, or investigation of a crime; loss prevention; or fraud. We may also use personal data to meet our internal and external audit requirements, information security purposes, and as we otherwise believe to be necessary or appropriate: (a) under applicable law (including the GDPR), which may include laws outside your country of residence; (b) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence; (c) to enforce our contractual relationship with an individual; and (d) to protect our rights, privacy, safety, or property, or those of other persons. Such processing is legally permissible under article 6(1)(c) and article 6(1)(f) GDPR.

Optiver Europe will update this policy if the way Optiver Europe uses or processes personal data changes.

Optiver Europe will only process special categories of personal data as set out in article 9 GDPR or criminal records as set out in 10 GDPR if the relevant individual consents to the collection, the collection is reasonably necessary for Optiver Europe's business activities, or in circumstances permitted by the GDPR.

## 1.4 USE OF THIRD PARTIES (PROCESSORS) AND DISCLOSURE OF PERSONAL DATA

Optiver Europe only discloses personal data when necessary to conduct our business operations as described below. When Optiver Europe discloses personal data, it will do so in accordance with applicable data protection and security requirements.

**Within Optiver.** Our businesses around the world are supported by a variety of Optiver teams and functions, and personal data will be made available to them if necessary for the provision of services, human resources administration, recruitment or business and product development, for instance. All of our employees and contractors are required to follow our data privacy and security policies when handling personal data.

**Third-party suppliers.** Optiver Europe partners with and is supported by suppliers around the world. Personal data will be made available to these parties only when necessary to fulfill the services they provide to us, such as software, system, and platform support, communication services, recruitment services, clearing services, cloud hosting services, advertising, data analytics, and order fulfillment and delivery.

**Third parties for legal reasons.** We will share personal data when we believe it is required, such as:

- ▲ to comply with legal obligations and respond to requests from government agencies, including law enforcement and other public authorities, which may include such authorities outside your country of residence;
- ▲ in the event of a merger, sale, restructure, acquisition, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings); and
- ▲ to protect our rights, users, systems, and capabilities.

**Counterparty management.** When you are a (prospect) business contact of Optiver Europe or are related to or acting on behalf of one of our counterparties, your data will be shared with Salesforce, a CRM tool engaged by Optiver Europe to manage its counterparty administration. As Optiver Europe is part of the Optiver group, your name and professional contact details may be shared with other Optiver offices globally.

**Recruitment.** When you apply to a job on this site, your personal data will be shared with Greenhouse Software, Inc., a cloud services provider located in the United States of America and other third party (cloud) software tools engaged by Optiver Europe to help manage its recruitment and hiring process on Optiver Europe's behalf. As Optiver Europe is part of the Optiver group, a global organisation with global IT systems, your personal data may be shared with other Optiver entities globally, subject to internal policies to ensure an equivalent level of protection. This may mean that your personal data will be transferred to the United States or another non-EU country that does not ensure an adequate level of protection according to a decision of the European Commission. In that case, the transfer will be subject to appropriate additional safeguards under the standard contractual data protection clauses approved by the European Commission.

**Events, competition, campaigns, newsletters, webinar or other marketing purposes.** When you sign up with your personal details for an event, competition, campaign, newsletter, webinar or other (marketing) purposes via an online advertisement, social media, landing page on our website, your personal data may be shared with external tools such as Hubspot, Inc., a cloud services provider located in the United States of America and engaged by Optiver Europe to help manage its communication and digital marketing process on Optiver Europe's behalf. Accordingly, if you are located outside of the United States, your personal data will be transferred to the United States once you submit it through the relevant website. Because the European Union Commission has determined that United States data privacy laws do not ensure an adequate level of protection for personal data collected from EU data subjects, the transfer will be subject to appropriate additional safeguards under the standard contractual data protection clauses approved by the European Commission.

## 1.5 TRANSFER OF PERSONAL DATA

Optiver Europe may at times transfer personal data from the country in which it was collected, including to servers situated offshore. The countries where personal data may be transferred to include Australia, The Netherlands, Hong Kong, Ireland, United States of America, the United Kingdom and Singapore.

When Optiver Europe transfers personal data from the European Economic Area to other countries in which applicable laws do not offer the same level of protection to personal data, we take measures to provide an appropriate level of protection to such personal data.

## 1.6 RETENTION OF PERSONAL DATA

Optiver Europe will retain personal data in accordance with the retention periods set by relevant rules and regulations.

When you apply to a job on this site, your personal data will be retained by Optiver Europe as long as Optiver Europe determines it is necessary to evaluate your application for employment. Optiver Europe will delete your personal data one (1) year after completing the application process. It is noted that Optiver Europe may retain your name, e-mail address, education, location and application details for a longer period of time in order to optimize its recruitment process.

## 1.7 ACCESS TO AND CORRECTION OF PERSONAL DATA

Individuals have the right to access and control personal data that Optiver Europe holds about them. Any individual wishing to access, amend, correct or delete their personal data processed by Optiver Europe must contact the Optiver Europe Data Protection Officer (see below for details). You also have the right to data portability. Before providing personal data, Optiver Europe will ask for proof of identity and sufficient information about your interaction with Optiver Europe so that any relevant personal data can be located.

Access will be provided where this is reasonable and practicable. However, in accordance with applicable law, Optiver Europe may refuse an access request in certain permitted situations.

## 1.8 QUESTIONS AND COMPLAINTS

Should an individual have a question or wish to make a complaint in relation to Optiver Europe's processing of personal or sensitive data, or a request for access or correction, they may contact the 'Optiver Europe Data Protection Officer' at Strawinskylaan 3095, 1077 ZX Amsterdam, The Netherlands (telephone +31 20 708 7000).

Where a complaint is received, the Optiver Europe Data Protection Officer will consider the complaint and, within a reasonable time, will decide whether the complaint warrants further investigation. The complainant will be advised by Optiver Europe of the outcome of its investigations within a reasonable time.

Alternatively, you may refer your complaint to the Dutch Data Protection Authority.

This Optiver Europe Privacy Policy was last updated on 2 February 2022.

## 2. OPTIVER EUROPE DISCLAIMER

The following terms and conditions apply to the use of the website [www.optiver.com](http://www.optiver.com). By using our website and using the information provided on it, the user accepts the following conditions. If the user does not accept these conditions, he or she should not use our website.

### 2.1 LEGAL DISCLAIMER

All material on the Optiver Europe webpages has been prepared by and for one or all of Optiver Services B.V., Optiver VOF, AMS Derivatives B.V., Optiver UK Trading Limited and/or Optiver UK Limited (collectively "Optiver Europe"), for information purposes only and is not a solicitation of any offer to buy or sell any security or other financial instrument or to participate in any trading strategy. The financial products and/or services referred to on these webpages may not be eligible for sale in all jurisdictions. This information is directed at institutional counterparties as defined by applicable law and/or regulation in the relevant jurisdiction. It is not for retail investors and it is not for distribution into any jurisdiction where this information is not permitted.

The information on our website is for general informational purposes only and does not constitute an offer to sell or a solicitation of an offer to buy any security or any financial instrument or to provide any investment advice in any jurisdiction. Optiver Europe is not providing specific investment advice to any individual viewing the content of our website and does not represent that the securities or services described herein are suitable for any specific investor. Investors are advised not to rely on any information contained on our website in the process of making a fully informed investment decision.

Optiver Europe expressly disclaims all liability in respect to actions taken based on any or all of the information on our website.

Optiver Europe is authorized at all times to amend, modify or discontinue the operation of our website and the information and details on our website (including this disclaimer) without prior notification. It is therefore advisable to review this disclaimer and any other notices on our website on a regular basis so that you are aware of any such amendments or modifications.

### 2.2 COOKIES

This Website uses Google analytic cookies. These cookies help Optiver Europe improving its website. By continuing to use our website the user consents to the use of these cookies.

### 2.3 (INTELLECTUAL) PROPERTY AND USE OF OUR WEBSITE

Users of our website are permitted to store, analyse, print, download and copy the data and/or information on our website for personal use and non-commercial purposes only. Information on our website may not be distributed, published, transferred, reproduced or made available to third parties in any other way without Optiver Europe's express written consent. No licensing rights or rights of use of any kind (except for as described above) are granted to the user of our website. Optiver Europe retains all rights (including all registered property rights as well as the rights to all non-registered brands, copyright, texts, graphic material, design and logos) in relation to the information presented on our website. Links to our website are not permitted without Optiver Europe's prior written consent.

## 2.4 LINKS

This Website provides links to other websites maintained by third parties. The inclusion of any such link does not imply any type of endorsement by Optiver Europe of any material contained on any linked site. Optiver Europe has no control over the linked sites and Optiver Europe does not provide any guarantee concerning the content of those sites and is not responsible or liable for any content, information or other materials available on such sites.

## 2.5 DISCLAIMER OF WARRANTY & LIMITATION OF LIABILITY

Optiver Europe provides no guarantee whatever concerning the availability of, access to and use of our website. Optiver Europe does not guarantee that the information and data provided on our website is up to date, accurate or complete. The user accepts that access to and use of our website, as well as the use of the information provided on it, are solely his or her personal responsibility.

Optiver Europe does not in any way guarantee the security of our website and, in particular, cannot rule out the possibility that unauthorized third parties may gain access to details entered by the user on our website or that such entries will be intercepted and/or manipulated.

Optiver Europe accepts no liability whatever for loss, costs, compensation or lost earnings arising directly or indirectly from the provision of our website to the user or the use of our website by the user or third parties, or arising from the access provided by our website to other websites. This exclusion of liability also extends to the management and staff of Optiver Europe.

THIS WEBSITE AND ALL INFORMATION CONTAINED HEREIN IS PROVIDED "AS IS," WITHOUT WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY, NON-INFRINGEMENT OF THIRD-PARTY RIGHTS, FREEDOM FROM VIRUSES OR OTHER HARMFUL CODE, OR FITNESS FOR A PARTICULAR PURPOSE. YOU HEREBY ACKNOWLEDGE THAT YOUR USE OF THIS SITE IS AT YOUR SOLE RISK.

## 3. OPTIVER AMERICAS PRIVACY POLICY<sup>2</sup>

### 3.1 INTRODUCTION

This policy sets out how Optiver Americas (“Company” or “We”) collects, holds, maintains, uses, and discloses personal information, including sensitive information; and how you may seek access to, and correct your personal information. Optiver Americas processes personal information in compliance with applicable United States and Illinois data protection laws, and, when and as applicable, other laws including the General Data Protection Regulation 2016/679. This policy applies to information we collect on our website (<https://www.optiver.com/na/en/>) (the “Website”). This policy does not apply to information collected by us offline or through any other means, including on any other website and through any third-party.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you agree to this privacy policy. This policy may change from time to time without prior notice of any kind. Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

### 3.2 DETAILS

The kinds of personal information Optiver Americas may collect and hold

In the process of conducting its business, Optiver Americas may collect, hold, use, and in some cases, disclose personal information, including sensitive information, relating to its business, contractors, and employees.

**Personal information** is information or an opinion about an individual who is reasonably identifiable from that information, whether or not the information or opinion is correct, and whether or not it is in a material form, and regardless of its source. Examples of the type of personal information we may collect includes a person's name, address, phone number, and email address, and any other identifier by which you may be contacted online or offline.

Sensitive information is a subset of personal information, and is information or an opinion about an individual's racial or ethnic origin; political, philosophical or religious opinions or associations or affiliations; sexual preferences or practices; memberships; beliefs; health, genetic or biometric information; and dietary preferences.

The references to 'personal information' in this policy include 'sensitive information'.

---

<sup>2</sup> Optiver Americas means the group of companies comprised by Optiver Americas LLC, Optiver GT US, LLC, Optiver Investments US LLC, Optiver US Holding LLC, Optiver Partnership US LP, Principal Strategic Investments US LLC, Optiver Execution Services US LLC, Optiver IP US LLC, Optiver US LLC, Optiver Trading US LLC, and Optiver Services US LLC, all based in Chicago, Illinois (130 East Randolph Street, Suite 1300, Chicago, Illinois, United States of America 60601).

### 3.2.1 COLLECTING PERSONAL INFORMATION

Optiver Americas will only collect personal information where necessary.

Optiver Americas may collect personal information from an individual, for example, through its job application process, in relation to a procurement process, or if an individual requests information or otherwise engages with Optiver Americas. Optiver Americas may ask an individual to provide their first and last name, contact information, date of birth, social security number, pre-employment screening information, certification information, details of qualifications, information about transactions with Optiver Americas or customers of third party suppliers or contractors, or licences and information collected incidentally to the management of operational activities.

Optiver Americas will generally only collect personal information from, and supplied by, the relevant individual, unless in Optiver Americas' opinion it is unreasonable or impracticable to do so. However, not all of the personal information Optiver Americas holds about an individual will come directly from the individual. It may, for example, come from publicly available information, previous or current employers, third party referees, government agencies, pre-employment screening agencies or other organizations to which the individual belongs.

If an individual elects to not give Optiver Americas their personal information, Optiver Americas maybe unable to employ them, or procure services from or otherwise engage with the individual.

Optiver Americas will only collect sensitive personal information if the relevant individual consents to the collection, the collection is reasonably necessary for Optiver Americas' business activities, or in circumstances permitted by applicable law.

### 3.2.2 HOLDING PERSONAL INFORMATION

Optiver Americas may hold personal information electronically, or in paper files. Optiver Americas will take all reasonable steps to protect personal information against misuse, interference, loss and unauthorised access, modification or disclosure. Depending on the information and the circumstances this protection may include:

- (a) the use of confidential passwords for purposes of accessing such information on Optiver Americas' internal systems;
- (b) storing hard copies of documents containing personal or sensitive information in securefiles created for this purpose;
- (c) imposing confidentiality requirements on our employees;
- (d) conducting reasonable due diligence on any third-party service provider's security measures, and compliance with the applicable law; and
- (e) maintaining physical access controls over our premises.

Where Optiver Americas holds personal information that it no longer requires, Optiver Americas will take reasonable steps to destroy or de-identify such information, subject to Optiver Americas' internal records retention policies, business continuity backup procedures, and any law, regulation or court order requiring retention.

### 3.2.3 USE OF PERSONAL INFORMATION

**Job applications, employment and counterparty management.** Personal information is used by Optiver Americas so that we can verify an individual's identity, qualifications, or experience; make informed employment decisions; comply with regulatory requirements; manage our employee-employer relationships; make informed resource management decisions and operate our business (including managing our counterparty relationships).

**Administration.** If an individual engages with Optiver Americas, we may use personal information in order to manage the relationship, to verify the individual's identity and send important information.

**Legal obligations.** Optiver Americas may be required to use and retain personal information for legal and compliance reasons, such as the prevention, detection, or investigation of a crime; loss prevention; or fraud. We may also use personal information to meet our internal and external audit requirements, information security purposes, and as we otherwise believe to be necessary or appropriate: (a) to the fullest extent permitted under applicable law, which may include laws outside your country of residence; (b) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence; (c) to enforce our contractual relationship with an individual; and (d) to protect our rights, privacy, safety, or property, or those of other persons.

Sensitive information will only be used for a purpose other than the express purpose for which it was collected with the individual's consent or for a purpose directly related to the express purpose for which the individual would reasonably expect the personal information to be used.

### 3.2.4 DISCLOSURE OF PERSONAL INFORMATION

Optiver Americas only discloses personal information when necessary to conduct our business operations as described below. When we disclose personal information, we do so in accordance with applicable data privacy and security requirements.

**Within Optiver.** Our businesses around the world are supported by a variety of Optiver teams and functions, and personal information will be made available to them if necessary for the provision of services, human resources administration, and business and product development, for instance. All of our employees and contractors are required to follow our data privacy and security policies when handling personal information.

**Third-party suppliers.** Optiver Americas partners with and is supported by suppliers around the world. Personal information will be made available to these parties only when necessary to fulfill the services they provide to us, such as software, system, and platform support; recruitment services; clearing services; cloud hosting services; advertising; data analytics; and order fulfillment and delivery.

**Third parties for legal reasons.** We will share personal information when we believe it is required, such as:

- ▲ To comply with legal obligations and respond to requests from government agencies, including law enforcement and other public authorities, which may include such authorities outside your country of residence.
- ▲ In the event of a merger, sale, restructure, acquisition, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings)
- ▲ To protect our rights, users, systems, and capabilities.

**E-recruitment.** If you register as an applicant in order to apply for employment, your personal information, including any sensitive personal information you provide, will be made available to the organization to which you have applied. If you are unsuccessful in your application Optiver Americas may retain your personal information to contact you in the future if a suitable role becomes available. If you do not want us to retain your personal information for this purpose, please let us know.

### 3.2.5 CROSS-BORDER DATA FLOWS

Optiver Americas may at times transfer personal information from the country in which it was collected, including to servers situated offshore. The countries where personal information may be transferred to include Australia, The Netherlands, Hong Kong, Ireland, United States of America, and Singapore.

If and when Optiver Americas transfers personal information from the European Economic Area to other countries in which applicable laws do not offer the same level of protection to personal information, we take measures to provide an appropriate level of protection to such personal information.

## 3.3 ACCESS TO, AND CORRECTION OF PERSONAL INFORMATION

Under applicable data protection law, individuals may have the right to access and control personal information that Optiver Americas holds about them. Any individual wishing to access, amend, correct or delete their personal information held by Optiver Americas must contact the Optiver Americas Privacy Officer. Before providing data to requesting individuals, we will ask for proof of identity and sufficient information about your interaction with us so that we can locate any relevant data.

Access will be provided where this is reasonable and practicable. However, in accordance with applicable law, Optiver Americas may refuse an access request in certain permitted situations.

## 3.4 COMPLAINTS

Should an individual wish to make a complaint in relation to Optiver Americas' use, collection, disclosure or management of personal information or sensitive information, or request access or correction, they must contact the Optiver Americas Legal Department at 130 East Randolph Street, Suite 1300, Chicago, Illinois, United States of America 60601, Attention: Legal Counsel.

Where a complaint is received, the Optiver Americas Legal Department will consider the complaint and, within a reasonable time, will decide whether the complaint warrants further investigation. The complainant will be advised by Optiver Americas of the outcome of its investigations within a reasonable time.

## 4. OPTIVER AMERICAS DISCLAIMER

The following terms and conditions apply to the use of the Website. By using the Website and using the information provided on it, the user accepts the following conditions. If the user does not accept these conditions, he or she should not use Website.

### 4.1 LEGAL DISCLAIMER

All material on the Optiver Americas Website has been prepared by one or all of Optiver Americas LLC, Optiver US Holding LLC, Optiver US LLC and/or Randolph Street Capital LLC (collectively "Optiver"), for informational purposes only and is not a solicitation of any offer to buy or sell any security or other financial instrument or to participate in any trading strategy. Any financial products and/or services referred to on these Website may not be eligible for sale in all jurisdictions. Certain information is directed at institutional investors who have professional experience as defined by applicable law and/or regulation in the relevant jurisdiction. Such information is not for retail investors and it is not for distribution into any jurisdiction where this information is not permitted.

The information on our Website is for general informational purposes only and does not constitute an offer to sell or a solicitation of an offer to buy any security or any financial instrument or to provide any investment advice in any jurisdiction. Optiver Americas is not providing specific investment advice to any individual viewing the content of our Website and does not represent that the securities or services described herein are suitable for any specific investor. Investors are advised not to rely on any information contained on our Website in the process of making a fully informed investment decision. Optiver Americas expressly disclaims all liability in respect to actions taken based on any or all of the information on our Website.

Optiver Americas is authorized at all times to amend, modify or discontinue the operation of our Website and the information and details on our Website (including this disclaimer) without prior notification. It is therefore advisable to review this disclaimer and any other notices on our Website on a regular basis so that you are aware of any such amendments or modifications.

### 4.2 COOKIES

This Website uses Google analytic cookies. These cookies help Optiver Americas improving its Website. By continuing to use our Website the user consents to the use of these cookies.

### 4.3 INTELLECTUAL PROPERTY AND USE OF OUR WEBSITE

Users of our Website are permitted to store, analyse, print, download and copy the data and/or information on our Website for personal use and non-commercial purposes only. Information on our Website may not be distributed, published, transferred, reproduced or made available to third parties in any other way without Optiver Americas' express written consent. No licensing rights or rights of use of any kind (except for as described above) are granted to the user of our Website. Optiver Americas retains all rights (including all registered property rights as well as the rights to all non-registered brands, copyright, texts, graphic material, design and logos) in relation to the information presented on our Website. Links to our Website are not permitted without Optiver Americas' prior written consent.

#### 4.4 LINKS

This Website provides links to other Website maintained by third parties. The inclusion of any such link does not imply any type of endorsement by Optiver Americas of any material contained on any linked site. Optiver Americas has no control over the linked sites and Optiver Americas does not provide any guarantee concerning the content of those sites and is not responsible or liable for any content, information or other materials available on such sites.

#### 4.5 DISCLAIMER OF WARRANTY & LIMITATION OF LIABILITY

Optiver Americas provides no guarantee whatever concerning the availability of, access to and use of our Website. Optiver Americas does not guarantee that the information and data provided on our Website is up to date, accurate or complete. The user accepts that access to and use of our Website, as well as the use of the information provided on it, are solely his or her personal responsibility.

Optiver Americas does not in any way guarantee the security of our Website and, in particular, cannot rule out the possibility that unauthorized third parties may gain access to details entered by the user on our Website or that such entries will be intercepted and/or manipulated.

Optiver Americas accepts no liability whatever for loss, costs, compensation or lost earnings arising directly or indirectly from the provision of our Website to the user or the use of our Website by the user or third parties, or arising from the access provided by our Website to other websites. This exclusion of liability also extends to the management and staff of Optiver Americas.

THIS WEBSITE AND ALL INFORMATION CONTAINED HEREIN IS PROVIDED "AS IS," WITHOUT WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY, NON-INFRINGEMENT OF THIRD-PARTY RIGHTS, FREEDOM FROM VIRUSES OR OTHER HARMFUL CODE, OR FITNESS FOR A PARTICULAR PURPOSE. YOU HEREBY ACKNOWLEDGE THAT YOUR USE OF THIS SITE IS AT YOUR SOLE RISK.

#### 4.6 RIGHTS OF APPLICANTS AND EMPLOYEES

Applicants and employees may have certain rights under US Federal Employment Laws. Please review the three electronic posters below.

- ▲ [Family and Medical Leave Act \(FMLA\)](#)
- ▲ [Equal Employment Opportunity EEO](#)
- ▲ [Employee Polygraph Protection Act \(EPPA\)](#)

This Privacy Policy was last updated on 25 November 2019.

## 5. OPTIVER APAC PRIVACY POLICY

### 5.1 BACKGROUND

#### 5.1.1 OBJECTIVE

This Privacy Policy sets out how Optiver Pty Ltd, Optiver Holding Hong Kong Limited, Optiver Trading Hong Kong Limited, Optiver Singapore Trading Pte. Ltd. and their related bodies corporate in Australia, Hong Kong and Singapore ("Optiver", "we", "us" or "our") collect, hold, use, disclose and transfer personal information, including sensitive information; and how you may seek access to, and correct your personal information. Optiver follows the Australian Privacy Principles and the Privacy Act 1998 (Cth) (the "Privacy Act") and complies with all other applicable privacy laws. Nothing in this Privacy Policy ("Policy") is intended to limit your rights under New Zealand's Privacy Act 2020 (the "NZ Privacy Act"), Hong Kong's Personal Data (Privacy) Ordinance (the "Ordinance") or the Singapore Personal Data Protection Act 2012 (the "PDPA").

If you are based in Singapore, you provide your consent to us collecting, using and disclosing or otherwise processing your personal information in accordance with this Privacy Policy.

The handling of employee records such as job application details, qualification records, remuneration details, performance and disciplinary information, and similar, may in certain circumstances be exempt from the Privacy Act and, if so, this Privacy Policy does not apply to such handling of employee records in Australia.

#### 5.1.2 EUROPEAN PERSONAL DATA

Optiver will process personal information belonging to a European resident ("EU personal information") in compliance with applicable European data protection laws, including the General Data Protection Regulation 2016/679 and any implementing laws in relevant European Member States and the United Kingdom ("EU Data Protection Laws"). Optiver will only process EU personal information where necessary.

### 5.1 DETAILS

#### 5.1.1 WHAT IS PERSONAL INFORMATION AND SENSITIVE INFORMATION?

There are two broad categories of information that we collect:

Personal information (also known as personal data) is information or an opinion about an individual who is reasonably identifiable, directly or indirectly, (i) from that information; or (ii) from that information and other information which Optiver has or is likely to have access, whether or not the information or opinion is true, and whether or not it is in a material form, and regardless of its source.

Sensitive information is a subset of personal information, and is information or an opinion about an individual's: racial or ethnic origin; political, philosophical or religious opinions or associations or affiliations; sexual preferences orientation or practices; memberships; beliefs; health, genetic or biometric information; and dietary preferences. Under the Privacy Act, sensitive information also includes criminal records.

The references to 'personal information' in this policy include 'sensitive information'.

### 5.1.2 THE KINDS OF PERSONAL INFORMATION OPTIVER MAY COLLECT AND HOLD

In the process of conducting its business, Optiver may collect, hold, use, and in some cases, disclose personal information, including sensitive information, relating to its business, contractors, and employees.

Depending on the nature of your dealings with Optiver, examples of the type of personal information we may collect include but are not limited to:

- (a) information that identifies you (such as your name, phone number, fax number, email and postal addresses);
- (b) basic information (such as your date of birth and gender);
- (c) information that relates to your financial affairs, associates, employment, assets, income, trading activities and/or investment experience (such as tax file numbers, bank account details, transaction statements required for legal and compliance reasons);
- (d) information that helps Optiver to process applications made by you (such as pre-employment screening information (including details of prior criminal records));
- (e) licence and certification information, details of qualifications;
- (f) if applicable, information about your company's representatives and other connected persons (such as authorised representative name(s) and their contact details);
- (g) your feedback, including opinions expressed in responses to engagement and other surveys, information concerning work habits and practices and feedback concerning performance of individuals and management;
- (h) information about transactions with Optiver or customers of third party suppliers or contractors, or licences and information collected incidentally to the management of operational activities; and/or
- (i) any information that is provided about you and/or any third parties to Optiver.

### 5.1.3 COLLECTING PERSONAL INFORMATION

During the course of our business, we may collect personal information about you in a variety of ways. Optiver will only collect personal information from you if in Optiver's opinion it is reasonable, practicable, lawful and necessary to do so. Optiver may collect personal information for purposes including those described in the sections on the use and disclosure of personal information below.

Optiver may collect personal information from an individual, for example, through its job application process, in relation to a procurement process, or if an individual requests information or otherwise engages with Optiver.

Optiver may collect personal information from its employees and contractors in order to obtain feedback including opinions expressed in responses to engagement and other surveys, information concerning work habits and practices, photographs, images, videos and sound recordings of the employee or contractor containing their likeness and name, and feedback concerning performance of individuals and management.

Optiver will generally only collect personal information from the relevant individual, unless in Optiver's opinion it is unreasonable or impracticable to do so. Accordingly, not all of the personal information Optiver holds about you will necessarily come directly from you. Optiver may collect personal information from sources other than you, such as publicly available information, previous or current employers, third party referees, government agencies, pre-employment screening agencies or other organisations to which the individual belongs. When it does so, it will ensure that it acts in accordance with relevant privacy laws and this Privacy Policy.

Where Optiver requires you to provide personal information about other individuals, Optiver relies on you to:

- (a) notify those individuals of our collection of their personal information and that we will collect, use, disclose or otherwise handle their personal information in accordance with this Privacy Policy;
- (b) to the extent Optiver collects their sensitive information from you, obtain their consent to their sensitive information being collected used, disclosed or otherwise handled by us in accordance with this Privacy Policy; and
- (c) to the extent Optiver collects their personal information in Singapore from you and if required, obtain their consent to their personal information being collected, used, disclosed and otherwise handled by us in accordance with this Privacy Policy.

By providing the personal information about another individual to Optiver, you confirm that you validly act on behalf of that individual for any collection, use or disclosure of such personal information and you consent on behalf of that individual to their personal information being collected, used or disclosed or otherwise handled by us in accordance with this Privacy Policy.

The provision of personal information by you is voluntary unless otherwise specified by us. However, if you elect to not give Optiver your personal information, Optiver may be unable to:

- (a) for job applicants, consider your employment application;
- (b) for employees, effect promotions, transfers or relocations, or the provision of certain benefits to you; or
- (c) otherwise engage with you.

Optiver will only collect your sensitive personal information (as well as personal information in Singapore) if you consent to the collection, the collection is reasonably necessary for Optiver's business activities, or in circumstances permitted by the Privacy Act, NS Privacy Act, the Ordinance, the PDPA or where applicable, EU Data Protection Laws. You expressly provide your consent to us collecting, holding, using and disclosing such information for the purposes outlined in this Privacy Policy.

#### 5.1.4 HOLDING PERSONAL INFORMATION

Optiver may hold personal information electronically, or in paper files. Optiver will take all reasonable steps to protect personal information against misuse, interference, loss, disposal, destruction, unlawful process, and unauthorised access, collection, copying, modification or disclosure. Depending on the information and the circumstances this protection may include:

- (a) the use of confidential passwords for purposes of accessing such information on Optiver's internal systems;

- (b) storing hard copies of documents containing personal or sensitive information in secure files created for this purpose;
- (c) imposing confidentiality requirements on our employees and contractors;
- (d) conducting reasonable due diligence on any third party service provider's security measures, and compliance with the Privacy Act, NZ Privacy Act, Ordinance and PDPA, especially if they are located offshore; and
- (e) maintaining physical access controls over our premises.

The transmission of information via the internet is, unfortunately, not completely secure and although we will do our best to protect your information, Optiver cannot guarantee the security and confidentiality of internet communications. As a result, all information transmitted by you via the internet (including via email) is transmitted at your own risk.

### 5.1.5 RETENTION OF PERSONAL INFORMATION

In accordance with applicable laws, we will use your personal information for as long as necessary and permitted by law to satisfy the purposes for which your personal information may be used or disclosed or where such use is necessary for our legal or business purposes.

Where Optiver holds personal information that it no longer requires for any purpose for which the personal information may be used or disclosed, Optiver will take reasonable steps to erase, destroy or de-identify or anonymise such information in accordance with applicable laws, subject to any law or court order requiring retention.

Individuals in Singapore also have a right, on reasonable notice to Optiver, to, at any time, withdraw their consent to the collection, use or disclosure of their personal information for any purpose. If this right is exercisable by you, and you choose to do so, Optiver will inform you of the likely consequences of such withdrawal of consent and cease collecting, using and disclosing your personal information except to the extent required or authorised under law.

### 5.1.6 USE OF PERSONAL INFORMATION

#### *a. All personal information (including EU personal information)*

Optiver uses your personal information for the following purposes. Please note that not all of the uses or purposes below will be relevant to every individual.

**Job applications, employment and counterparty management.** Personal information is used by Optiver so that we can: verify an individual's identity, qualifications, or experience; assess your suitability for the position for which you have applied; negotiate with and make employment offers to selected applicants; make informed employment decisions; comply with regulatory requirements (including but not limited to making tax returns); manage our employment relationships; make informed resource management decisions (including planning and effecting promotions and facilitating a retirement or provident fund scheme and/or other benefits applicable to employees) and operate our business (including managing our counterparty relationships).

**Administration.** If an individual engages with Optiver, we may use personal information in order to manage the relationship, to verify the individual's identity and send important information.

**Legal obligations.** Optiver may be required to use personal information for legal, reporting and compliance reasons, such as managing risks; the prevention, detection, or investigation of a crime; loss prevention; or fraud. We may also use personal information to meet our internal and external audit requirements, information security purposes, and as we otherwise believe to be necessary or appropriate: (a) under applicable law, regulation, codes and guidelines (including the Privacy Act, the NZ Privacy Act, the Ordinance, the PDPA and EU Data Protection Laws), which may include laws outside your country of residence; (b) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence; and (c) to protect our rights, privacy, safety, or property, or those of other persons.

**Claims.** Optiver may be required to use personal information to establish, exercise, defend a claim or any other purposes in connection with any claims made by or against Optiver (this includes but not limited to claims involving you, or (where relevant) your employer, company or affiliated entity (as may be applicable)).

**Assignment.** Optiver may be required to use personal information to enable an actual or proposed assignee of Optiver, or participant or sub-participant of Optiver's rights in respect of any transaction intended to be the subject of the assignment, participation or sub-participation involving you.

**Obtaining employee feedback.** Optiver may be required to use personal information, in relation to employees and contractors of Optiver, to obtain your feedback in relation to Optiver and your employment – including opinions expressed in responses to engagement and other surveys, information concerning work habits and practices and feedback concerning performance of individuals and management.

**Employee Likeness.** During an employee's employment or a contractor's engagement with Optiver, photographs, images, videos or sound recordings may be taken. Optiver and its affiliates, employees, agents and representatives may use an employee's or contractor's likeness and/or personal information in any such photograph, image, video or sound recording (collectively referred to herein as their "Likeness") for its business purposes including advertising, publicising or marketing Optiver to potential employees, recruitment of potential employees or for any other commercial or lawful purposes, and license other third parties to use it for such purposes. These materials become the property of Optiver and will not be returned. Optiver may edit, alter, copy, exhibit, publish, broadcast employees or contractors Likeness at any time by means of any media including social media (such as Facebook, Twitter, LinkedIn or Instagram), print, video presentations, brochures, website placements, or other digital delivery or publications.

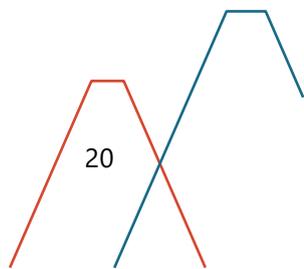
Sensitive information will only be used for a purpose other than the express purpose for which it was collected with the individual's consent or for a purpose directly related to the express purpose for which the individual would reasonably expect the personal information to be used.

*b. Personal information that is not EU personal information*

This section applies to personal information that is not EU personal information (and all references to personal or sensitive information in this section shall be interpreted accordingly).

Where personal information is collected from individuals or from other third parties about individuals, Optiver will use such information for the primary purpose for which it was collected or a purpose related to that purpose for which the individual would reasonably expect the personal information to be used.

Optiver may also use personal information:



- (a) to lessen or prevent a serious threat to an individual's life, health or safety, or a serious threat to public health or public safety;
- (b) if Optiver has reason to suspect that unlawful activity or misconduct of a serious nature related to Optiver's business is imminent;
- (c) where the collection, use or disclosure of personal information is reasonably necessary for the purposes of a confidential alternative dispute resolution process;
- (d) where the disclosure is reasonably necessary for an enforcement related activity by an enforcement body;
- (e) for any other purpose the individual has consented to; or
- (f) for another purpose permitted by the Privacy Act, NZ Privacy Act, the Ordinance or the PDPA.

### 5.1.7 DISCLOSURE OF PERSONAL INFORMATION

#### *a. All personal information (including EU personal information)*

Optiver discloses personal information when necessary to conduct our business operations as described below. When we disclose personal information, we do so in accordance with applicable data privacy and security requirements which may include the Privacy Act, NZ Privacy Act, the Ordinance, the PDPA and EU Data Protection Laws.

Optiver may disclose your personal information to the following parties, each a "Transferee".

**Within Optiver.** Our businesses around the world are supported by a variety of other Optiver group company teams and functions, and personal information will be made available to those group companies if necessary for the provision of services, human resources administration, and business and product development, for instance. This includes any subsidiaries, holding companies, associated companies or affiliates, or any entity controlled by or under common control with Optiver. All of our employees are required to follow our data privacy and security policies when handling personal information. For more information about Optiver's locations please click here: [www.optiver.com/ap/en/our-locations](http://www.optiver.com/ap/en/our-locations).

**Third-party suppliers.** Optiver partners with and is supported by suppliers, agents, contractors and other service providers around the world. Personal information will be made available to these parties only when necessary to fulfil the services they provide to us, such as administrative, compliance, telecommunications, computer, other technological, software, payment, screening, data processing or storage, cloud computing, , system and platform support; recruitment services; employee feedback and engagement services; clearing services; cloud hosting services; advertising; data analytics; operational risk administration and order fulfillment and delivery. This includes any service provider whom Optiver may appoint or to whom Optiver may delegate its obligation to in connection with any of its business operations.

**Persons under a duty of confidentiality.** Optiver may disclose your personal information to any person under a duty of confidentiality to Optiver, such as a professional adviser or another person that has undertaken to keep such data confidential.

**Payment services providers.** Optiver may disclose your personal information to any bank, intermediary or regulatory authority involved in sending or receiving any payment or instruction to or from or in connection with you.

**Services for employees.** In relation to Optiver's employees, Optiver may also disclose your personal information and Likeness to any relevant insurers, bankers, financial and legal advisers, superannuation funds, pension funds, trustees and administrators, tax regulators (including the Australian Taxation Office) or other regulatory, statutory or government bodies, provident fund managers and medical or occupational practitioners, in connection with services requested and/or provided in relation to employees.

**Third parties for legal reasons.** We will share personal information when we believe it is required, such as:

- (a) To comply with legal obligations and respond to requests from government agencies, including law enforcement and other public authorities, which may include such authorities outside your country of residence.
- (b) To any person to whom Optiver is under an obligation to make disclosure under the requirements of any law, rules, regulations or directive binding on us and/or our affiliates, or under and for the purposes of any codes of practice or guidelines issued by or responding to re-requests made to us and/or our affiliates by regulatory or other authorities, or for the purposes of any legal or administrative proceedings in which we and/or our affiliates are involved.
- (c) In the event of a merger, sale, restructure, acquisition, joint venture, assignment, transfer, or other acquisition, restructuring or disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings).
- (d) To protect our rights, users, systems, and capabilities.

**E-recruitment.** If you register as an applicant in order to apply for employment, your personal information, including any sensitive personal information you provide, will be made available to the organization to which you have applied. In order to consider an application fully, your personal information may be disclosed to Optiver's global offices. If you are unsuccessful in your application, Optiver will retain your personal information to contact you in the future for other opportunities we think may be suitable for you. If you do not want us to retain your personal information for this purpose, please let us know by contacting us at [talent@optiver.com.au](mailto:talent@optiver.com.au). You can also let us know at any time if your situation changes and you would like us to remove the personal information collected from your registration as an applicant in order to apply for employment by emailing us at the same email address.

*b. Personal information that is not EU personal information*

Optiver can also disclose personal information on the same basis that it can use the personal information, as described in the section on the use of personal information above.

### 5.1.8 TRANSBORDER DATAFLOWS

Optiver may at times transfer, disclose or otherwise make available personal information to Transferees situated in overseas jurisdictions other than the country in which it was collected, including to servers situated offshore. The regions where personal information may be transferred include (without limitation) Australia, Taiwan, Ireland, Mainland China, The Netherlands, Hong Kong, Ireland, United Kingdom, United States of America and Singapore.

Please note that disclosures may occur in countries other than those referred to in this Privacy Policy from time to time and while we take reasonable steps to ensure that such persons or organisations will be subject to sufficient confidentiality and privacy obligations, they may not always follow the particular requirements of the Privacy Act, NZ Privacy Act, the Ordinance or the PDPA. Overseas organisations may also be required to disclose information we share with them under a foreign law. In those instances, we will not be responsible for that disclosure, subject to and to the extent permitted under applicable law.

Where we transfer personal information in Singapore to jurisdictions outside of Singapore, we will, in accordance with the PDPA, take appropriate steps to ascertain whether, and to ensure that, the recipient of the personal information is bound by legally enforceable obligations to provide to the transferred personal information a standard of protection that is at least comparable to the protection under the PDPA.

Under paragraph 3.11.5 and 3.11.6 of the Code of Practice on Human Resource Management issued by the Office of the Privacy Commissioner for Personal Data in Hong Kong, Optiver may transfer your employment-related personal data to a related office or a third party within or outside Hong Kong. In any event, such a transfer is for a purpose directly related to your employment and the data transferred will not be excessive in relation to that purpose.

## 5.2 ACCESS TO, AND CORRECTION OF, PERSONAL INFORMATION AND OTHER ENQUIRIES

Under applicable privacy laws, you may have the right to do the following in respect of your personal information:

- (a) ascertain whether Optiver holds personal information about you;
- (b) access the personal information Optiver holds about you; and
- (c) require Optiver to correct your personal information which is inaccurate which Optiver holds about you.

Any individual wishing to access, amend or correct their personal information held by Optiver must contact the relevant Optiver contact for your jurisdiction set out below.

<b>Australia and New Zealand</b>	<b>Hong Kong</b>	<b>Singapore</b>
<p><b>Optiver Privacy Officer</b></p> <p>39 Hunter Street, Sydney, NSW 2000</p> <p><b>Optiver's Talent Engagement &amp; Experience department</b> talent@optiver.com.au</p>	<p><b>Optiver Privacy Officer</b></p> <p>25/F, 33 Des Voeux Road Central, Hong Kong</p> <p><a href="mailto:HKprivacy@optiver.com.au">HKprivacy@optiver.com.au</a></p> <p><b>For Optiver's employees</b></p> <p>Please contact the Human Resources Department</p>	<p><b>Optiver Privacy Officer</b></p> <p>CapitaGreen, 138 Market Street, #25-01, Singapore</p> <p><a href="mailto:legal@optiver.com.au">legal@optiver.com.au</a></p> <p>+65 6994 5200</p> <p><b>Optiver's Talent Engagement &amp; Experience department</b> talent@optiver.com.au</p>

Where you are an individual in Hong Kong, when Optiver receives a data access request from you, whether it holds the requested data or not, it will respond in writing within 40 calendar days after receiving your data access request, unless it is unable to

respond to your request within such 40 day period, in which case it will:

- (a) notify you (within that 40 day period) of the reasons why it cannot comply and the extent to which it can comply with the request within that 40 day period; and
- (b) comply with your request as soon as practicable thereafter.

Where you are an individual in New Zealand, when Optiver receives a data access request from you, it will respond in writing within 20 working days (where it holds the requested data) or within 10 working days (where it does not hold the requested data) after receiving your data access request, unless it is unable to respond to your request within those time periods, in which case it will notify you (within those time periods) of the reasons why it cannot comply with the request within those time periods and the extension of time required to allow it to respond to the request.

Where you are an individual in Singapore, when Optiver receives a data access request from you, whether it holds the requested data or not, it will respond in writing as soon as reasonably practicable after receiving your data access request. If it is unable to respond to your request within 30 days after receiving your request made in accordance with the PDPA, it will notify you in writing (within that 30 days period) of the time by which it will be able to respond to your request.

Before providing data to requesting individuals, we will ask for proof of identity and sufficient information about your interaction with us so that we can locate any relevant data. Please note that any such identification information provided to Optiver will only be processed in accordance with, and to the extent permitted by applicable laws.

Access will be provided unless a lawful reason exists to refuse access. In accordance with applicable privacy laws, Optiver may refuse an access request in certain permitted situations, which include without limitation the following situations:

- (a) where Optiver is not supplied with sufficient information to enable Optiver, with reasonable effort, to identify you;
- (b) where Optiver cannot reasonably comply with the access request without disclosing the personal information of a third party;
- (c) where compliance with the access request is prohibited under applicable law;
- (d) in Hong Kong, where the data access request follows two or more similar requests, and it is unreasonable for Optiver to comply with the request in the circumstances;
- (e) in Hong Kong, where another party controls the use of the requested data in a way that prohibits Optiver from complying with the data access request; or
- (f) where Optiver may otherwise refuse the request in accordance with applicable privacy laws.

In Singapore, Hong Kong and New Zealand, in accordance with the PDPA, Ordinance and the NZ Privacy Act (as applicable), Optiver has the right to charge a reasonable fee for the processing of any request to access personal data, provided that you have been provided with a written estimate of such fees in advance.

In Singapore, in accordance with the PDPA, you may request that Optiver erase certain personal information we hold about you by providing reasonable notice to us that you wish to withdraw your consent to the collection, use and disclosure of your personal information, and Optiver will comply with this request where there is no other ground under which we can lawfully process the personal information.

Should you have any other enquiries or requests in relation to Optiver’s collection, use or disclosure of personal information, please contact the relevant Optiver Privacy Officer set out above.

### 5.3 COMPLAINTS

Should an individual wish to make a complaint in relation to Optiver’s use, collection, disclosure or management of personal information including sensitive information, breach of applicable privacy laws, or request access or correction of their personal information, please contact the relevant Optiver contact for your jurisdiction set out below.

Australia and New Zealand	Hong Kong	Singapore
<p><b>Optiver Privacy Officer</b></p> <p>39 Hunter Street, Sydney, NSW 2000</p>	<p><b>Optiver Privacy Officer</b></p> <p>25/F, 33 Des Voeux Road Central, Hong Kong</p> <p><a href="mailto:HKprivacy@optiver.com.au">HKprivacy@optiver.com.au</a></p>	<p><b>Optiver Privacy Officer</b></p> <p>CapitaGreen, 138 Market Street, #25-01, Singapore</p> <p><a href="mailto:legal@optiver.com.au">legal@optiver.com.au</a></p> <p>+65 6994 5200</p>

Where a complaint is received, the Privacy Officer will consider the complaint and, within a reasonable time, will decide whether the complaint warrants further investigation. The complainant will be advised by Optiver of the outcome of its investigations within a reasonable time.

Alternatively:

in Australia, you may refer your complaint directly to the Office of the Australian Information Commissioner (the "Oaic"). The Oaic's contact details are:

The Office of the Australian Information Commissioner

GPO Box 2999, Canberra ACT 2601, Australia

Phone: 1300 363 992

Website: [www.oaic.gov.au](http://www.oaic.gov.au)

in New Zealand, you may refer your complaint directly to the Office of the Privacy Commissioner (the "OPC"). The OPC's contact details are:

The Office of the Privacy Commissioner

PO Box 10 094, Wellington 6143, New Zealand

Phone: 0800 803 909

Email: [investigations@privacy.org.nz](mailto:investigations@privacy.org.nz)

For complaints in relation to Optiver's data protection practices relating to EU personal information, you may contact the UK Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further information is available on the Information Commissioner's website at <https://ico.org.uk>.

You may request to receive a copy of this Privacy Policy by contacting the relevant Privacy Officer for your jurisdiction on the details above.

## 5.4 CHANGES TO THIS POLICY

This Privacy Policy was last updated on 18 January 2022.

From time to time, Optiver may change this Privacy Policy to accommodate the new legal or regulatory requirements, industry practices or for other purposes. Any changes will be posted in this Privacy Policy, so, we encourage you to regularly review this Privacy Policy to make sure you are aware of any changes.

## 6. OPTIVER AUSTRALIA WHISTLEBLOWER POLICY

### 6.1 PURPOSE

The purpose of this Policy is to:

- ▲ help deter wrongdoing, in line with Optiver's risk management and governance framework;
- ▲ ensure individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected and supported;
- ▲ ensure disclosures are dealt with appropriately and on a timely basis;
- ▲ provide transparency around Optiver's framework for receiving, handling and investigating disclosures;
- ▲ support Optiver group's values and code of conduct; and
- ▲ to meet Optiver's legal and regulatory obligations.

#### 6.1.1 SCOPE

This Policy applies to all Optiver Australia employees and other Whistleblowers. The Policy applies from commencement of an employee's employment with Optiver Australia and all employees must attest to having read it on their New Hire Disclosure Form.

An eligible Whistleblower qualifies for protection if:

- ▲ they have made a disclosure of information relating to a "disclosable matter" directly to an "eligible recipient" as set out below.
- ▲ they have made a disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the Corporations Act; or
- ▲ they have made an emergency disclosure or a public interest disclosure to a journalist or parliamentarian. A discloser should contact an independent legal adviser before making such disclosures.

#### 6.1.2 DEFINITIONS

**Whistleblower.** A person who has a connection to an organisation who may be in a position to observe or be affected by wrongdoing and may face reprisals for reporting it.

To access the rights and protections in the law the person must be a current or former:

- ▲ employee
- ▲ officer e.g. director, company secretary;
- ▲ contractor, supplier or their employee; or
- ▲ spouse, relative or dependant of one of the people referred to above.

## 6.2 MAKING A DISCLOSURE

Disclosable matters involve information that the discloser has reasonable grounds i.e. a reasonable person in their position would reach the same conclusion, to suspect concerns of:

- ▲ misconduct (including fraud, negligence, default, breach of trust and breach of duty); or
- ▲ an improper state of affairs or circumstances.

This information can be about Optiver or another member of the Optiver group or an officer/employee of Optiver engaging in conduct that:

- ▲ breaches the Corporations Act 2001 (Cth);
- ▲ breaches other financial sector laws enforced by ASIC;
- ▲ breaches legal or regulatory requirements generally;
- ▲ involves offering or accepting a bribe e.g. from a DCP to provide favourable pricing; or
- ▲ involves actual or threatened detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure,

or more broadly:

- ▲ represents a danger to the public or financial system. Information which indicates a significant risk to the stability of, or confidence in, the financial system is also a disclosable matter, even if it does not involve a breach of a particular law.

Disclosures that relate solely to personal work-related grievances (such as decision about promotion or termination of the discloser), and that do not relate to detriment or threat of detriment to the discloser, do not qualify for protection under the Corporations Act. A personal work-related grievance can qualify for protection if, for example, information about misconduct is accompanied by a personal work-related grievance.

## 6.3 WHO CAN RECEIVE A DISCLOSURE?

An employee can make a disclosure either internally or externally. A discloser may choose to remain anonymous while making a disclosure, over the course of an investigation and after the investigation is finalised. Anonymous disclosures are also protected under the Corporations Act.

In order to qualify for protection as a Whistleblower under the Corporations Act, a discloser must disclose directly to the following eligible recipients.

### 6.1.3 INTERNAL DISCLOSURE

An employee may file a written report with Sydney Compliance or a member of the Local Management Team, these teams are authorised by Optiver to receive Whistleblower disclosures. An employee may also file a report to an officer of Optiver or other Optiver group entity or with Optiver group's internal audit team in Amsterdam. Once an employee has made their report, they are covered by the Whistleblower protections mentioned in Section 4.

### 6.1.4 EXTERNAL DISCLOSURE

A Whistleblower may file a report to, Optiver's external auditor (including a member of the audit team conducting the audit) or ASIC or other prescribed regulators or law enforcement agencies.

OPTIVER PRIVACY POLICIES AND DISCLAIMERS

To file a report with ASIC, employees can submit an [online misconduct reporting form](#) or [write to ASIC](#). If an employee files a report to ASIC anonymously, they should note that ASIC will not be able to follow up for further information or provide updates.

Disclosures to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of the Whistleblower provisions in the Corporations Act are also protected.

A Public Interest Disclosure or Emergency Disclosure can also be made to a journalist or parliamentarian and qualify for protection.

A Public Interest Disclosure is the disclosure of information to a journalist or parliamentarian where:

- (a) at least 90 days have passed since the discloser made a disclosure to ASIC;
- (b) the discloser does not have reasonable grounds to believe that action is being, or has been taken, in relation to their disclosure;
- (c) the discloser has reasonable grounds to believe that making a further disclosure of the information is in the public interest; and
- (d) before making the public interest disclosure, the discloser has given written notice to ASIC that includes sufficient information to identify the previous disclosure and states that the discloser intends to make a public interest disclosure.

An Emergency Disclosure is the disclosure of information to a journalist or parliamentarian where:

- (a) the discloser has previously made a disclosure of the information to ASIC;
- (b) the discloser has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons;
- (c) before making the emergency disclosure, the discloser has given written notice to ASIC that includes sufficient information to identify the previous disclosure and states that the discloser intends to make an emergency disclosure; and
- (d) the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the journalist or parliamentarian of the substantial or imminent danger.

A discloser should contact an independent legal adviser before making a Public Interest Disclosure or an Emergency Disclosure.

## 6.4 PROTECTIONS

Once a Whistleblower has made their report, they are covered by the whistleblower protections detailed below. If a Whistleblower makes an external disclosure they are still covered, even if they have not raised their concerns internally.

### 6.4.1 INTERNAL

Optiver will keep a Whistleblower's identity or information that is likely to lead to their identification, confidential unless:

- i. the Whistleblower provides consent; or
- ii. Optiver needs to report or disclose the information to ASIC or other prescribed regulators or law enforcement agencies or to external legal counsel for the purpose of obtaining legal advice or representation about the Whistleblower provisions.

It is otherwise illegal to identify a Whistleblower or disclose information that is likely to lead to the identification of the Whistleblower. A Whistleblower may lodge a complaint about a breach of confidentiality by writing to the Privacy Officer [legal@optiver.com.au](mailto:legal@optiver.com.au) or to ASIC or other prescribed regulator or law enforcement agency.

#### 6.4.2 EXTERNAL

ASIC or other applicable regulator or law enforcement agency is required to keep information provided by a Whistleblower confidential. ASIC may not disclose either the information or the identity of the Whistleblower, without the Whistleblower's consent or unless that disclosure is specifically authorised by law. ASIC can also resist producing documents to a court or tribunal where it may reveal a Whistleblower's identity, unless a court or tribunal thinks it necessary or in the interests of justice.

#### 6.4.3 LEGAL ACTION

A Whistleblower is protected against the following legal actions:

- criminal prosecution (the disclosure cannot be used against the Whistleblower in a prosecution, unless the disclosure is false).
- civil litigation e.g. breach of an employment contract, duty of confidentiality.
- administrative action, including disciplinary action.

This protection does not grant immunity to the Whistleblower for any misconduct that the Whistleblower was involved in, that is revealed in the disclosure. However, if the Whistleblower voluntarily self-reports their involvement in corporate misconduct, ASIC will consider their cooperation when deciding what further action to take.

### 6.5 SUPPORT AND PROTECTION FROM DETRIMENT

Optiver will not retaliate against a Whistleblower who has filed a report about Optiver's conduct, or about an individual or entity with whom Optiver has or had a business relationship.

A person cannot engage in conduct that causes detriment to a discloser (or another person), in relation to a disclosure, if:

- i. the person believes or suspects that the discloser (or another person) made, may have made, proposes to make or could make a disclosure that qualifies for protection; and
- ii. the belief or suspicion is the reason, or part of the reason, for the conduct.

Optiver will endeavour to ensure that employees are able to make reports without jeopardising their employment. Optiver has an Employee Assistance Program which may be utilised by Whistleblowers and which is operated by trained independent professional counsellors on a confidential basis. Optiver will not discharge, demote, suspend, threaten, harass, deny opportunities or in any other manner discriminate against an employee, with respect to terms and conditions of employment, for making a report under this Policy.

Any retaliation or harassment by an employee relating to a report made under this Policy will be considered a serious breach of this Policy. All employees should refrain from any activity that is, or could be perceived to be, victimisation, retaliation or harassment of a Whistleblower who makes a report in accordance with this Policy.

A Whistleblower can seek their own independent legal advice or contact the applicable regulator or law enforcement agency if the Whistleblower believes they have suffered detriment. They can seek compensation and other remedies through the courts if:

- (a) they suffer loss, damage or injury because of a disclosure; and
- (b) Optiver fails to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

## 6.6 INVESTIGATION INTO A DISCLOSURE

Optiver will take reasonable steps to ensure that information likely to lead to a Whistleblower's identification is not disclosed without their consent. However, Optiver may face difficulties investigating or internally addressing or correcting the misconduct unless the Whistleblower provides some approval to use their information.

After a report has been received, it will be reviewed by Sydney Compliance. Optiver is required to assess each disclosure to determine whether it qualifies for protection and if a formal investigation is required. If the report is determined to be sufficiently serious, a more formal investigation will commence in coordination with Talent, Legal and/or other relevant advisors. Where appropriate, Optiver may also consult with external legal counsel and other necessary advisors.

Optiver will take appropriate steps to ensure that every report is investigated with the appropriate level of attention and using the appropriate technical expertise. Where feasible, such investigation will be carried out in a strictly confidential manner and will be completed within a reasonable time. If, however Optiver cannot contact the Whistleblower, an investigation may not be able to be undertaken.

If they can be contacted, the Whistleblower will be kept informed on progress, any subsequent investigation and its outcome, as appropriate under the circumstances and in accordance with applicable law. The outcome of the investigation may be shared and discussed with the Local Management Team for further handling. Measures to be taken in response to the investigation will be determined on a case by case basis, as deemed appropriate to handle any issues identified.

The method for documenting and reporting the findings of an investigation will depend on the nature of the disclosure. There may be circumstances where it is not appropriate to provide details of the outcome to the Whistleblower.

## 6.7 TREATMENT OF EMPLOYEES MENTIONED IN A DISCLOSURE

Optiver will seek to be fair to all parties involved. The handling of the disclosure will not involve anyone implicated by the Whistleblower who made the report. An employee who is the subject of a disclosure will be advised about the subject matter of the disclosure prior to any actions being taken e.g. if the disclosure will be the subject of an investigation. An employee who is the subject of a disclosure may utilise Optiver's Employee Assistance Program.

## 6.8 ESCALATION OF BREACHES

All employees are responsible for compliance with this Policy and are required to immediately report any actual or apparent breaches of this Policy to a member of Sydney Compliance. This includes any actual or apparent breaches of this Policy being committed by other persons.

Failure to do so may increase the Compliance risk to Optiver and may result in disciplinary action being taken against the employee, including termination of employment.

This Whistleblower Policy was last updated on 30 December 2019.

## 7. OPTIVER CHINA PRIVACY NOTICE

### 7.1 OBJECTIVE

Optiver cares deeply about protecting your personal information. This policy sets out the practices followed by Optiver entities in China ("**Optiver China**", "we" or "us") in relation to the processing of your personal information, particularly the following:

1. what types of personal information are processed by Optiver China;
2. how and for what purposes Optiver China processes your personal information;
3. how long Optiver China would hold your personal information;
4. how you may seek access to or correct your personal information, request to have your personal information erased or otherwise exercise your rights to your personal information processed by Optiver China; and
5. other information required to be brought to your attention by Optiver China in compliance with applicable PRC data protection laws, including the Personal Information Protection Law (the "**PIPL**").

Please read this policy carefully.

### 7.2 TYPES OF PERSONAL INFORMATION WE PROCESS

Personal information means information that is held either in an electronic or other form that relates to an identified or identifiable living individual. Personal information does not include anonymised information.

Optiver China will generally only collect personal information from the relevant individual, unless in our opinion it is unreasonable or impracticable to do so. However, not all of the personal information we hold about an individual will come directly from the individual. It may, for example, come from publicly available information, previous or current employers, employees of Optiver China, third party referees, government agencies, pre-employment screening agencies or other organisations to which the individual belongs.

If an individual elects not to give Optiver China their personal information, Optiver China may be unable to employ them, or procure services or otherwise engage with the individual or the institution represented by such individual.

Depending on the nature of your dealings with Optiver China, the types of personal information that we may process include, but are not limited to:

- (a) information that identifies you (such as your name, phone number, fax number, email and postal addresses);
- (b) basic information (such as your date of birth, ethnicity, household registration information and information contained in your personal archive (*Dang An*) that is lawfully visible to us);
- (c) information that relates to your financial affairs, associates, business, employment, assets, income, trading activities and/or investment experience;
- (d) information of your dependents that helps us provide the relevant employment welfare;
- (e) information that helps us to process applications made by you for employment or other job

- opportunities;
- (f) licence and certification information, details of qualifications;
- (g) if applicable, information about your company's representatives and other connected persons (such as authorised representative name(s) and their contact details);
- (h) your feedback, including opinions expressed in responses to engagement and other surveys, information concerning work habits and practices and feedback concerning performance of individuals and management; and/or
- (i) any other personal information that is provided by you and/or any third parties to us.

### 7.3 PURPOSES FOR PROCESSING

**Administration.** If an individual, including representing an institution, engages with Optiver China, Optiver China may process his or her personal information to manage the relationship, verify the individual's identity and send relevant information to the individual.

**Counterparty.** For the purpose of entering into and performing contracts with you or the business you are related to, Optiver China may request/require and process certain personal information. By way of example, you may be a contact person, shareholder, authorized signatory or ultimate beneficial owner of one of our counterparties. Such processing is necessary for Optiver China to perform a contract, which includes accepting counterparties, carrying out risk assessments, risk management, reporting and carrying out our business activity.

**Recruitment.** When you apply for a job [www.optiver.com](http://www.optiver.com), your personal information will be processed for the purposes of managing Optiver China's recruitment related activities, which include setting up and conducting interviews and tests for applicants, evaluating and assessing the results thereof, and as is otherwise needed in the recruitment and hiring processes.

**Legal obligations.** Optiver China may be required to process personal information for legal and compliance reasons, such as the prevention, detection, or investigation of a crime; loss prevention; or anti-fraud measures. We may also use personal information to meet our internal and external audit requirements, information security purposes, and as we otherwise believe to be necessary or appropriate: (a) under applicable PRC laws and regulations (including the PIPL), which may include laws outside your country of residence; (b) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence; (c) to enforce our contractual relationship with an individual; and (d) to protect our rights, privacy, safety, or property, or those of other persons.

Optiver China will update this policy if the way Optiver China uses or processes personal information changes.

### 7.4 LEGAL BASIS FOR PROCESSING

Optiver China will not process your personal information unless:

- (a) we have received your consent for us to process your personal information;
- (b) it is necessary for the conclusion or performance of any contract to which you are a party;
- (c) it is necessary for our human resource administration purposes;
- (d) it is necessary for the performance of our statutory duties or obligations;
- (e) it is necessary for us to respond to public health incidents or for the protection of personal and property security in the case of an emergency;

- (f) the processing is conducted for media reporting and whistleblowing purposes in the public interest, and we will only process your personal information within a reasonable scope under this scenario;
- (g) you have disclosed your personal information publicly or the relevant personal information has become publicly available through other legitimate means, and we will only process your personal information within a reasonable scope under this scenario; or
- (h) under other scenarios permitted by PRC laws and regulations.

## 7.5 DISCLOSURE OF PERSONAL INFORMATION

Optiver China only shares personal information when necessary to conduct our business operations. When Optiver China discloses personal information, it will do so in accordance with applicable data protection and security requirements.

### ***Learn More about Data Recipients***

If you would like to know with whom your personal information is shared by Optiver China, how and for what purpose the data recipients will process your personal information, the contact details of the data recipients, what types of personal information is transferred and how to exercise your rights in respect of such personal information, please contact us through the method specified at section 7.10 (*Questions and Complaints*) below.

Please be advised that, under the PIPL, an individual's right to obtain the information mentioned in the immediately preceding paragraph is limited to the extent that the data recipient is an independent processor who determines the purpose and method for processing individuals' personal information independently. For data recipients who process personal information based on the instruction of Optiver China, such data recipients do not qualify as independent processors and we may not be obliged to provide their information to you.

### ***Purposes for Transferring your Personal Information***

We may transfer your personal information to another personal information processor under the situations described below.

**Within Optiver.** Our businesses around the world are supported by a variety of Optiver teams and functions, and personal information will be made available to them if necessary for the provision of services, human resources administration, and business and product development, for instance. All of our employees and contractors are required to follow our data privacy and security policies when handling personal information.

**Third-party suppliers.** Optiver China partners with and is supported by suppliers around the world. Personal information will be made available to these parties only when necessary to fulfil the services they provide to us, such as legal and other professional services, landlord, property management, software, system, and platform support, recruitment services, clearing services, cloud hosting services, advertising, data analytics, insurance, banking services and other financial services, office administration support, fitness and welfare, and order fulfilment and delivery.

**Third parties for legal reasons.** We will share personal information when we believe it is required, such as:

- (a) to comply with legal obligations and respond to requests from government agencies, including tax, labour, social security, public security, disease control and prevention, law enforcement and

- other public authorities, which may include such authorities outside your country of residence;
- (b) in the event of a merger, sale, restructure, acquisition, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings); and
- (c) to protect our rights, users, systems, and capabilities.

**Recruitment.** When you apply for a job on our website, your personal information will be shared with GreenhouseSoftware, Inc., a cloud services provider located in the United States of America and engaged by Optiver China to help manage the recruitment and hiring process on Optiver China's behalf. Accordingly, your personal information will be transferred to the United States of America once you submit it through the relevant website.

**Events, campaigns, newsletters.** When you sign up with your personal details for an event, campaign or newsletter via an online advertisement, social media or landings page on our website, your personal information will be shared with HubSpot, Inc. a cloud services provider located in the United States of America and engaged by Optiver China to help manage recruitment and digital marketing processes on Optiver China's behalf. Accordingly, if you are located outside of the United States of America, your personal information will be transferred to the United States of America once you submit it through the relevant website.

## 7.6 CROSS-BORDER TRANSFER OF PERSONAL INFORMATION

Optiver China may at times transfer personal information from China to another jurisdiction, including to servers situated offshore. The jurisdictions where personal information may be transferred to include Australia, The Netherlands, Hong Kong, Ireland, United States of America, the United Kingdom and Singapore.

When Optiver China transfers personal information from China, we take measures to provide an appropriate level of protection to such personal information.

To obtain more details on whom your personal information is transferred to offshore, please contact us through the methods specified at section 7.10 (*Questions and Complaints*) below.

## 7.7 RETENTION OF PERSONAL INFORMATION

Optiver China will retain personal information in accordance with the retention periods set by relevant rules and regulations. As a general principle, your personal information will not be kept longer than necessary for the purpose for which the personal information was processed.

When you apply for a job on our website, your personal information will be retained by Optiver China as long as Optiver China determines it is necessary to evaluate your application for employment. Optiver China will delete your personal information one (1) year after completing the application process. It is noted that Optiver China may retain your name, e-mail address, education, location and application details for a longer period of time in order to optimize its recruitment process.

## 7.8 EXERCISING YOUR RIGHTS TO PERSONAL INFORMATION WE HOLD

Optiver China respects your rights under the PRC data protection laws in relation to your personal information, include the following:

- (a) to be informed of whether and how Optiver China processes your personal information;

- (b) to determine whether Optiver China can process your personal information and refuse or restrict the processing of your personal information, to the extent consent is the legal basis for us to process your personal information;
- (c) to access and be provided with a copy of your personal information held by us;
- (d) in certain circumstances, to require Optiver China to provide your personal information held by us to another personal information processor;
- (e) to require Optiver China to update or correct any inaccurate personal information about you, or complete any incomplete personal information about you;
- (f) under certain circumstances, to delete your personal information; and
- (g) to request an explanation on how Optiver China processes your personal information.

You may put forward any of the above requests by contacting us through the means set out in section 7.10 below.

When Optiver China receives a request from you, whether it holds the requested data or not, it will respond as soon as reasonably practical after receiving your request. If Optiver China is unable to act on your request, we will explain to you the reasons why we cannot act on your request.

Optiver China will act on your request where this is reasonable and practicable. However, we may refuse to act on your request in certain situations, which include without limitation the following situations:

- (a) Optiver China is not supplied with sufficient information to identify you;
- (b) Optiver China cannot comply with the request without disclosing the personal data of a third party;
- (c) where compliance with the request is prohibited under the PRC data protection laws or any other laws, regulations and/or rules applicable to Optiver China;
- (d) the request follows two or more similar requests, and it is unreasonable for Optiver China to comply with the request in the circumstances;
- (e) another party controls the use of the requested data in a way that prohibits Optiver China from complying with the request; and/or
- (f) where Optiver may refuse the request in accordance with the PRC data protection laws.

Even if you do not submit such a request, if we are satisfied that, having regard to the purposes for which we hold your personal data, that personal data is inaccurate, incomplete, out-of-date, irrelevant or misleading, we may take reasonable steps to correct that information.

## 7.9 CHANGES TO THIS POLICY

From time to time, Optiver China may change this Policy to accommodate the new legal or regulatory requirements, industry practices or for other purposes. We will provide notice to you if these changes are material and, where required by applicable law, we will obtain your consent.

## 7.10 QUESTIONS AND COMPLAINTS

Should you:

- (a) have any queries or require further information regarding this Policy or any other steps we have taken to protect your personal information or privacy;

- (b) have any concerns or wish to make a complaint in relation to Optiver's use, collection, disclosure or management of your personal information; or
- (c) wish to request to exercise any of your rights as mentioned under sections 7.5, 7.6 and 7.8,

please contact us by email at [ChinaDataPrivacy@optiver.com.au](mailto:ChinaDataPrivacy@optiver.com.au).

Where a request is received, we will consider the request and respond to you as soon as reasonably practicable.

Where a complaint is received, we will consider the complaint and, within a reasonable time, will decide whether the complaint warrants further investigation. The complainant will be advised by us of the outcome of the investigations within a reasonable time.

This Privacy Policy Statement was last updated on 31 October 2021.

## 8. TAIWAN PRIVACY NOTICE

### 8.1 NOTICE OF COLLECTION, PROCESSING AND USE OF PERSONAL INFORMATION

澳帝華期貨股份有限公司「個人資料蒐集、處理、利用告知書」

澳帝華期貨股份有限公司（以下簡稱「本公司」）依據個人資料保護法（以下簡稱「個資法」）第8條第1項，向您告知下列事項：

Optiver Taiwan Futures Co., Ltd. ("Optiver") hereby, pursuant to Paragraph 1 of Article 8 of the Personal Information Protection Act ("PIPA") notify you of the following matters:

### 8.2 PURPOSES OF COLLECTING PERSONAL INFORMATION

本公司蒐集您之個人資料目的：

（一）〇〇二：人事管理（包含甄選、離職及所屬員工基本資訊、現職、學經歷、考試分發、終身學習訓練進修、考績獎懲、取得反饋（包括在回覆僱用和回覆其他調查中所表達的意見、有關工作習慣和實際表現的訊息以及有關個人和管理績效的反饋）銓審、薪資待遇、差勤、福利措施、褫奪公權、特殊查核或其他人事措施）

（二）〇三一：全民健康保險、勞工保險、國民年金保險或其他社會保險

（三）〇六九：契約、類似契約或其他法律或法律遵循原因

1. 002: Human Resource Management (including recruitment, separation, employee profile, current position, education, working experience, examination distribution, long term learning, training and development, performance management, obtaining feedback (including opinions expressed in responses to engagement and other surveys, information concerning work habits and practices and feedback concerning performance of individuals and management), verify the qualification, compensation, attendance record, benefit, deprived of civil rights, special check (background), other personnel management.)031: National health insurance, labor insurance, national pension insurance or other social insurance.
2. 069: Contract, contract-like or other legal or compliance reasons.

### 8.3 CLASSIFICATION OF THE PERSONAL INFORMATION

本公司蒐集您之個人資料類別：

（一）識別類（如姓名、身分證字號、通訊地址、聯絡電話、非工作用電子郵件地址、住家電話號碼、手機、財務訊息，例如稅籍編號、銀行帳戶或開戶資訊、為了法律或法律遵循原因需要的交易紀錄、簽證及護照號碼、影像）

（二）特徵類（如性別、出生日期）

（三）家庭情形（如婚姻狀況、緊急連絡人）

（四）受僱情形（如薪水、工作表現、休假紀錄、請假或補假紀錄）

(五) 取得反饋 (包括在回覆僱用和回覆其他調查中所表達的意見·有關工作習慣和實際表現的訊息以及有關個人和管理績效的反饋)

(六) 其他 (如宗教信仰、種族、就業前訊息篩選 (包括詳細犯罪前科紀錄)、認證訊息、詳細資格訊息、與Optiver或第三方供應商或承包商的客戶的交易訊息或管理營運活動而附帶蒐集到的執照與訊息。

)

1. Types for identification (for example: name, ID number, address, contact number, personal email address, home telephone number, cellphone number, financial information such as tax registration numbers, bank account or account opening information, transaction statements required for legal and compliance reasons, visa and passport number, photograph/image.)
2. Types of characteristic (for example: gender, date of birth.)
3. Family (for example: marital status, emergency contact person.)
4. Employment (for example: salary, evaluation of working performance, record regarding personal leave, compensatory leave, and other information regarding leaving taking.)
5. Feedback, including opinions expressed in responses to engagement and other surveys, information concerning work habits and practices and feedback concerning performance of individuals and management.
6. Other (for example: religion and faith, races, pre-employment screening information (including details of prior criminal records), certification information, details of qualifications, information about transactions with Optiver or customers of third party suppliers or contractors, or licences and information collected incidentally to the management of operational activities.)

### 8.3.1 Time period, areas, parties and ways of using personal information

本公司利用您之個人資料期間、地區、對象及方式：

(一) 期間：申請人自投履歷日起3年。

(二) 地區：本國、本公司之關係企業所在地區(詳如本公司所屬集團之網站上所載：<http://optiver.com/>)以及其他受本公司委託處理您個人資料之公司之地區，例如：加拿大、澳洲、愛爾蘭、荷蘭、香港、美國、英國、新加坡等。

(三) 對象：本公司、本公司之關係企業(詳如本公司所屬集團之網站上所載：<http://optiver.com/>)、以及其他受本公司委託處理您個人資料之公司，例如位於加拿大之Global Relay Communications Inc.、位於愛爾蘭之Workday Inc.。

(四) 方式：以自動化機器或其他非自動化之利用方式。

1. Time period: 3 years after applicant's submitting the resume.
2. Areas: within the territory of this country, the territory of the affiliated companies listed on the website of Optiver Group (<http://optiver.com>) and other territory of the entities entrusted by Optiver with the processing of your personal information such as Canada, Australia, Ireland, Netherlands, Hong Kong, United States of America, United Kingdom, Singapore, etc.
3. Parties: Optiver, the affiliated companies listed on the website of Optiver Group (<http://optiver.com>), and other entities entrusted by Optiver with the processing of your personal information, such as Global Relay Communications Inc. in Canada, Workday Inc. in Ireland.
4. Ways: through automatic machine or non-automatic methods

### 8.3.2 According to article 3 of the pisa, you may exercise following rights by means of words, written document, telephone, text message, email, facsimile or other manners, with regard to your personal information collected by Optiver

就本公司保有您之個人資料，您得透過言詞、書面、電話、簡訊、電子郵件、傳真等方式，行使以下所載個資法第三條之當事人各項權利：

(一) 得直接向本公司請求查詢、請求閱覽或請求製給複製本。依個資法第14條規定，本公司得須酌收必要成本費用。

(二) 得直接向本公司請求補充或更正。

(三) 得直接向本公司請求停止蒐集、處理或利用及請求刪除。但依個資法第11條及同法施行細則第21條規定，本公司因執行業務所必須者，於註明爭議事項後，得不依您請求為之。

1. You may inquire and request for a review or make duplications of your personal information. Optiver may charge necessary handling fee in terms of Article 14 of the PIPA.
2. You may request to supplement or correct your personal information.
3. You may request Optiver to discontinue the collection, the processing or using, and delete your personal information. However, pursuant to Article 11 of the PIPA and Article 21 of the Enforcement rules of the PIPA, the preceding sentence may not be applicable when the collection, processing and use of the personal information is necessary for the performance of an official duty or fulfilment of a legal obligation and the dispute has been recorded.

### 8.3.3 Impact of the rights and interests if not providing personal information

您不提供個人資料所致權益之影響：

您得自由選擇是否提供相關之個人資料，惟若您拒絕提供相關個人資料，本公司、本公司之關係企業、及其他受本公司委託之公司將無法進行如上開蒐集目的之各項作業，致無法提供您蒐集目的之各項服務

。

OPTIVER PRIVACY POLICIES AND DISCLAIMERS

You may choose to provide or not to provide the relevant personal information. In the case that you refuse to provide the relevant personal information, Optiver, the affiliated companies, and other entities entrusted by Optiver will not be able to provide services as specified purposes of collection listed in section 1.

六、您充分瞭解上述告知事項。

You fully understand the matters specified above.