



Optiver privacy policies, notices and disclaimers

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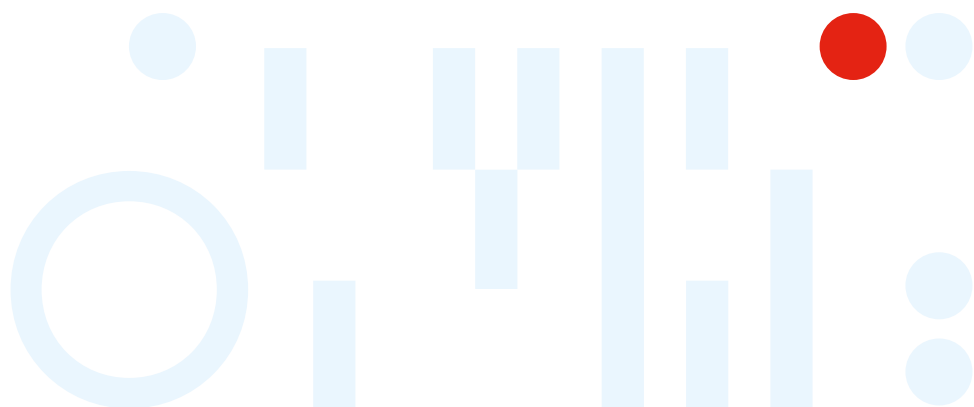




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1 Optiver Europe privacy policy¹

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.

1.2 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, as part of (establishing) a trading relationship 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, nationality, education, gender, 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 fulfil legal and regulatory requirements, such as anti-money laundering checks, monitoring and Know Your Customer (“KYC”) obligations, to which Optiver Europe is subject.

Please note that if your personal data is collected for recruitment purposes by or for the Amsterdam office, Optiver Services B.V. is considered the controller of your personal data, if this is collected by or for the London office, this is Optiver UK Ltd.

If your personal data is collected for trading or KYC purposes, the Optiver entity that you are trading with, Optiver VOF or Optiver FX Ltd, is considered the controller of your personal data.

1.3 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 Optiver Europe means the group of companies comprised by Optiver Services B.V., Optiver VOF and Optiver Europe Investments B.V., all based in Amsterdam (Strawinskylaan 3095, 1077 ZX Amsterdam, the Netherlands) as well as Optiver FX Limited and Optiver UK Limited, both based in London (20 Old Bailey, London, EC4M 7AN, United Kingdom).



1.4 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.

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 website, 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. We may use personal data for HR analytics purposes.

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.

1.5 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 fulfil 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 fulfilment 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 (such as Hubspot, Inc., details below) 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 or non-UK country that does not ensure an adequate level of protection according to a decision of the European Commission and/or the Information Commissioner's Office. In that case, the transfer will be subject to appropriate additional safeguards under the standard contractual data protection clauses approved by the European Commission and/or the Information Commissioner's Office.

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. In that case, the transfer will be subject to appropriate additional safeguards under the standard contractual data protection clauses approved by the European Commission and/or the Information Commissioner's Office.

1.6 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.

1.7 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, assessment data and application details for three (3) years in order to optimize its recruitment process and for analytics purposes.

1.8 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 privacy@optiver.com. You also have to 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.

1.9 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) or via privacy@optiver.com.



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 18 August 2023.

2 Optiver Europe disclaimer

The following terms and conditions apply to the use of the website 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, Optiver Europe Investments B.V., Optiver FX 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 policy²

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'.

3.2.1 Collecting personal information

Optiver Americas will only collect personal information where necessary.

² Optiver Americas means the group of companies comprised by Optiver Americas LLC, Optiver Holding US LLC, Optiver US LLC and Randolph Street Capital LLC, all based in Chicago, Illinois (130 East Randolph Street, Suite 1300, Chicago, Illinois, United States of America 60601).



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 may be 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 secure files 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.

5.2 Details

5.2.1 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'.

5.2.2 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.

5.2.3 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.

5.2.4 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.

5.2.5 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.

5.2.6 Use of personal information



a) 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) 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.

5.2.7 Disclosure of personal information

c) 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.

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 (including pre-employment screening 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-quests 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 addition, your personal information, including any sensitive personal information you provide, may be disclosed to our third party providers as part of their provision of services to us in respect of the recruitment process (including for the purposes of pre-employment screenings and background checks). 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. 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.

d) 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.

5.2.8 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 countries 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, Germany 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.

5.3 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.

	Australia and New Zealand	Hong Kong	Singapore
General privacy enquiries	Optiver Privacy Officer 39 Hunter Street, Sydney, NSW 2000 legal@optiver.com.au +61 2 9275 6000	Optiver Privacy Officer 25/F, 33 Des Voeux Road Central, Hong Kong HKprivacy@optiver.com.au	Optiver Privacy Officer CapitaGreen, 138 Market Street, #25-01, Singapore legal@optiver.com.au +65 6994 5200
For Optiver's employees and job applicants	Optiver's Talent Engagement & Experience department talent@optiver.com.au	Optiver's Talent Engagement & Experience department talent@optiver.com.au	Optiver's Talent Engagement & Experience department talent@optiver.com.au

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.

5.4 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>Optiver Privacy Officer</p> <p>39 Hunter Street, Sydney, NSW 2000</p> <p>legal@optiver.com.au</p> <p>+61 2 9275 6000</p>	<p>Optiver Privacy Officer</p> <p>25/F, 33 Des Voeux Road Central, Hong Kong</p> <p>HKprivacy@optiver.com.au</p>	<p>Optiver Privacy Officer</p> <p>CapitaGreen, 138 Market Street, #25-01, Singapore</p> <p>legal@optiver.com.au</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

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

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.

5.5 Changes to this policy

This Privacy Policy was last updated on 1 April 2023.

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 Policy Specifications

6.1.1 Background

This Global Whistleblower Policy (“Policy”) sets out certain channels and procedures for the reporting of breaches of laws and regulations or misconduct with respect to the business activities, operations and practices of Optiver. This Policy together with the whistleblower platform, [Whispli](#), make up Optiver’s Global Whistleblower Framework (“Framework”). The Framework aims to create an environment that encourages employees to come forward without fear of reprisal or retribution. To the extent any portion of this Policy conflicts with any applicable local law or regulation, such local law or regulation will prevail. Without prejudice to any statutory whistleblowing rights and obligations, this Policy outlines some of the protections under certain regulations which may be available to a Whistleblower who makes a Report.

6.1.2 What to report

This Policy outlines certain channels and procedures for the reporting of breaches of laws and regulations or misconduct with respect to the business activities, operations and practices of Optiver (“**Reportable Events**”)³:

Reportable Events includes the reporting of information in relation to:

- **Regulatory non-compliance:** breach of financial laws and regulations, including rules and regulations for: the prevention of market abuse and financial crime/money laundering; data protection/privacy and the security of network and information systems;
- **Health and safety:** breach of other laws and regulations applicable to Optiver in relation to, inter alia, environmental, public health and public safety matters and any other breaches of law;
- **Financial misconduct:** any fraudulent activities, embezzlement, misappropriation of funds, bribery, corruption, or other financial irregularities which present a danger to the public or financial system⁴;
- **Internal standards:** breach of internal policy or procedure; activities that are inconsistent with Optiver’s values, risk appetite statements or legal obligations;
- **Misconduct or an improper state of affairs or circumstances** in relation to Optiver.

It is important to note that this list is not exhaustive and varies dependent on local applicable law.

This Policy should encourage the reporting of concerns that may impact Optiver’s compliance with laws and regulations.

All Reports should provide specific, adequate and pertinent details including but not limited to:

- (a) relevant dates;
- (b) location or places;
- (c) persons, including any witnesses; and
- (d) any other relevant information;

³ All reports will be considered on a case-by-case basis; a determination will be made whether a report meets the standard of a Reportable Event.

⁴ Information which indicates a significant risk to the stability of, or confidence in, the financial system is also a Reportable Event, even if it does not involve a breach of a particular law.



in order to allow for the Report to be properly understood and for a reasonable investigation to be conducted if deemed necessary by Optiver.

6.1.3 When and how to report?

If an employee notices or has knowledge of data, events or information about a Reportable Event, employees are encouraged and have the responsibility to report this information in accordance with this Policy.

Reports can be made on the platform, Whispli, or also in person, over the telephone, via email, electronic messaging or written letter addressed to an Eligible Recipient. Please see a sample template in 6.3.

6.2 Protected Disclosure

6.2.1 Anonymity

Subject to the requirements of applicable law, a Whistleblower may choose to remain anonymous over the course of an investigation and after the investigation is finalised. An anonymous report can still qualify as a Protected Disclosure. Furthermore, a Whistleblower may still qualify for protection even if the disclosure made is consequently determined as incorrect.

A Protected Disclosure does not grant immunity to the Whistleblower for any misconduct that the Whistleblower revealed in the Protected Disclosure. A Whistleblower should be aware that they remain responsible for their involvement. However, if the Whistleblower voluntarily self-discloses their involvement in the misconduct, Optiver and/or the relevant regulatory authority may consider their cooperation when deciding what further action to take.

A Whistleblower may seek their own independent legal advice where they are of the view that they may not be protected in accordance with the provisions of this Policy and under applicable law.

6.2.2 Confidentiality

Optiver will keep a Whistleblower's identity or information that directly or indirectly is likely to lead to their identification, confidential over the course of the investigation and after the investigation is finalised unless:

- i. the Whistleblower provides consent; or
- ii. it is reasonably necessary for the purpose of investigating the Reportable Event; or
- iii. Optiver needs to disclose the information to prescribed regulators or law enforcement agencies or to external legal counsel for the purpose of obtaining legal advice or representation about the Whistleblower provisions; or
- iv. Optiver is compelled to disclose the Whistleblower's identity by a court of competent jurisdiction.

A Whistleblower can refuse to answer questions that they feel could reveal their identity at any time, including during the investigation. In some jurisdictions, it is 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 relevant contact in their region⁵ or to the relevant regulator or law enforcement agency.

Should Optiver be obliged to disclose the identity of the Whistleblower pursuant to any statutory regulation in the context of an investigation by a competent authority or a legal proceeding, the Whistleblower will be informed beforehand by Optiver of such duty, unless Optiver is otherwise instructed (i.e. if such information would jeopardise the related investigation or judicial proceeding).

6.2.3 No liability

Under the conditions that there is a Protected Disclosure and the Whistleblower has not acquired the information by breaching a criminal law, the Whistleblower will not be held liable for a breach of confidentiality, disclosure of trade secrets, or protection of personal data, to the extent necessary, in connection with the Protected Disclosure.



6.3 Sample Template

Privileged and Confidential

Optiver Whistleblower Report Form (sample template)

1. Making a Report

Whistleblower's Name (Optional): _____

Date: _____

Name of the Eligible Recipient (as defined in clause 3.4 of the Policy): _____

Case Subject	
Physical Location	<i>(i.e. Where are you physically located? NB: this helps determine the Investigating Officer)</i>
Impacted Personnel	<i>(i.e. Were any other people present when the event occurred? Were you directly impacted or a witness to an event or just want to share some information? Does this report involve any team member from the HR or Compliance team?)</i>
Date	<i>(i.e. What date did the event occur on?)</i>
Event Location	<i>(i.e. Where did the event occur?)</i>
Description	<i>(i.e. What best describes the event that you witnessed or were impacted by – regulatory non-compliance, health and safety breach, financial misconduct, breach of internal standards, misconduct or an improper state of affairs or circumstances?)</i>
Case Details	<i>(i.e. Please describe the event to the best of your recollection)</i>
Additional Comments	



6.4 Australia Further Information

Please see further information related to the public interest disclosures and emergency disclosures applicable in Australia:

6.4.1 Public interest disclosure

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

- the Whistleblower made a disclosure to ASIC, APRA or another prescribed regulated entity at least 90 days earlier;
- the Whistleblower does not have reasonable grounds to believe that action is being, or has been taken, in relation to their disclosure;
- the Whistleblower has reasonable grounds to believe that making a further disclosure of the same information is in the public interest; and
- after at least 90 days and before making a public interest disclosure, the Whistleblower has given written notice to the entity to which they made the disclosure that sufficiently identified the previous disclosure and states that the Whistleblower intends to make a public interest disclosure.

6.4.2 Emergency disclosure

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

- the Whistleblower made a disclosure of the information to ASIC, APRA or another prescribed regulated entity;
- the Whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or the natural environment;
- before making the emergency disclosure, the Whistleblower has given written notice to the entity to which they made the disclosure that sufficiently identified the previous disclosure and states that the Whistleblower intends to make an emergency disclosure; and
- the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the recipient of the substantial or imminent danger.

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

6.4.3 Legal action

A Whistleblower who makes a Protected Disclosure cannot be subject to the following legal actions in respect of making the Protected Disclosure:

- criminal prosecution (a Protected Disclosure cannot be used to prosecute a Whistleblower in criminal proceedings, except in respect of proceedings relating to the falsity of the information disclosed);
- civil litigation;
- administrative action, including disciplinary action; and
- breach of contract.

Optiver privacy policies, notices and disclaimers



Despite the above, the Whistleblower may still be subject to civil, criminal or administrative liability for any misconduct of the Whistleblower revealed by the disclosure.



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

any other personal information that is provided by you and/or any third parties to us. Some of above personal information may be deemed as sensitive personal information under applicable PRC data protection laws. Where we collect your personal information out of the scope above or for purposes beyond those specified in this policy, we will inform you of such collection.

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, 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 (including via our website) 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, e.g. we have agreements in place with the external third parties who process your personal information to ensure their compliance with the applicable data protection laws.

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 10 (Questions and Complaints) below.



Purposes for Transferring your Personal Information

We may transfer your personal information to another personal information processor under the situations described below. We will take necessary measures in accordance with applicable data protection and security requirements (including without limitation, where required to do so, inform you and obtain your consent) when we conduct such transfers.

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 is necessary for the following purposes, 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 employment service provider located outside of Mainland China 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 employment service provider outside of Mainland China 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 will comply with applicable PRC data protection laws and 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 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 or such period of time as required by the applicable PRC data protection laws. With necessary measures taken under PRC data protection laws, 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 or withdraw your consent on 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



- (f) information about you, or complete any incomplete personal information about you;
- (g) under certain circumstances, to delete your personal information. Where it is technically impossible to erase your data, we will take necessary security measures (including without limitation, to anonymize or encrypt such data) solely for storage purposes; and
- (h) 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 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 5, 6 and 8,

please contact us by email at 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 1 April 2023.



8 Taiwan privacy notice

澳帝華期貨股份有限公司「個人資料蒐集、處理、利用告知書」 Notice of Collection, Processing and Use of Personal Information

就澳帝華期貨股份有限公司（以下簡稱「本公司」）對您個人資料之蒐集、處理與利用，茲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：

In connection with the collection, processing and use of your personal information by Optiver Taiwan Futures Co., Ltd. (“Optiver”) hereby, pursuant to Paragraph 1 of Article 8 of the Personal Data Protection Act (“PDPA”) notify you of the following matters:

一、本公司蒐集個人資料之目的：

(一) 工作申請、受僱及交易對手管理:

1. 驗證個人身分、資格或經驗；
2. 就您本次所求職之職缺評估您之適合性，或若本次求職不成功，但本公司或於本公司集團網站上所列之本公司關係企業(<http://optiver.com>)(以下簡稱「本公司所屬集團」)就認為可能適合您之未來其他職缺，評估您之適合性；
3. 與選定之求職者商談並提供其聘用機會；
4. 作出有根據之僱用決策；
5. 遵循法律規範(包括但不限於稅務申報)；
6. 管理本公司之僱用關係；
7. 作出有根據之人力資源管理決策(包括計畫及給予升遷機會、鼓勵退休或提供公積金計畫及/或其他員工福利；及
8. 執行本公司之業務(包括管理交易對手之關係)。

(二) 行政事務: 於您與本公司或本公司所屬集團之僱用關係之範圍內，管理僱用關係、進行身分驗證及向您傳達重要訊息。

(三) 法律義務: 為符合:



1. 相關法令、報告或法規遵循之要求，例如風險管理、預防、檢測或調查犯罪行為及預防損失或詐欺；
 2. 本公司或本公司所屬集團之內部及外部稽核要求或資訊安全之需求；
 3. 本公司相信為必須或適當之其他要求，包括但不限於：
 - (1) 依據相關法律、法令、法典及指引(包括澳洲隱私原則及1988年隱私權法案(以下簡稱「澳洲隱私權法」)、紐西蘭隱私權法、香港個人資料(私隱)條例、臺灣個資法及歐盟資料保護法)，並可能包括臺灣法以外之外國法規；
 - (2) 來自法院、執法單位、主管機關及其他公共及政府機關之要求，並可能包括臺灣以外之外國機關；及/或
 4. 為保障本公司或本公司所屬集團或他人之權利、隱私、安全或財產之需求。
- (四) **請求**：與本公司或本公司所屬集團之所有商業活動相關，為建立、執行、捍衛由本公司或本公司所屬集團所為(或對本公司或本公司所屬集團所為)之請求或與該請求有關之其他目的(包括但不限於可能涉及您、本公司或本公司所屬集團之請求(視情況而定))。
- (五) **轉讓**：使本公司或本公司所屬集團之實際或經提議之受讓人，或使本公司或本公司所屬集團權利之參與者或次參與者，成為涉及您之相關交易之轉讓、參與或次參與之主體。
- (六) **取得員工反饋**：關於本公司或本公司所屬集團之員工及承包商，取得您就本公司及您之僱用關係之反饋-包括在回覆僱用和回覆其他調查中所表達之意見，有關工作習慣和實際表現之訊息及有關個人和管理績效之反饋。
- (七) **員工肖像**：於員工受僱於本公司或承包商與本公司之往來期間，可能會拍攝照片、圖像、影片或錄音。本公司及本公司之關係企業、員工、代理人及代表可能會將員工或承包商於任何上述照片、圖像、影片或錄音之肖像及/或個人資料(以下統稱為他們的「肖像」)用於商業之目的，包括於招募潛在員工時或為其他商業或法律目的，廣告、宣傳或行銷本公司，或將本公司向潛在之員工為廣告、宣傳或行銷，且授權其他第三方基於上述之目的利用之。這些素材成為本公司之資產且將不會返還。本公司亦可能隨時透過任何型態之媒體，包括社交媒體(例如Facebook、Twitter、LinkedIn、或Instagram)、影印、影片呈現、手冊、網站設置或其他數位傳遞或出版之方式，編輯、變更、拷貝、展示、出版、播送該員工或承包商之肖像。



(八) **其他允許之目的**：以下特定目的係依據「個人資料保護法之特定目的及個人資料之類別」(隨時可能修訂): (001)人身保險、(002)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之意見, 有關工作習慣和實際表現之訊息及有關個人和管理績效之反饋)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)、(003)入出國及移民、(031)全民健康保險、勞工保險、國民年金保險或其他社會保險、(059) 金融服務業依法令規定及金融監理需要, 蒐集、處理及利用、(061) 金融監督、管理與檢查、(063) 非公務機關依法定義務所進行個人資料之蒐集、處理及利用、(069) 契約、類似契約或其他法律或法律遵循原因、(104) 帳務管理及債權交易業務、(114) 勞工管理、(120) 稅務行政、(129) 會計與相關服務、(136) 資(通)訊與資料庫管理、(137) 資(通)訊安全與管理、(150) 輔助性與後勤支援管理、(154) 徵信、(157) 調查、統計與研究分析、(166) 證券、期貨、證券投資信託及顧問相關業務、(168) 護照、簽證及文件公證處理、(173) 其他公務機關對目的事業之監督管理, 及(181) 其他符合營業登記項目或組織章程所擬定的業務。

1. Purposes of collecting personal information by Optiver:

- (1) **Job applications, employment and counterparty management.** To (i) verify your identity, qualifications, or experience; (ii) assess your suitability for the position for which you have applied or if you are not successful in your application, for other position for which Optiver or Optiver's affiliated companies listed on the website of Optiver group (<http://optiver.com>) ("Optiver Group") think may be suitable to you in the future; (iii) negotiate with and make employment offers to selected applicants; (iv) make informed employment decisions; (v) comply with regulatory requirements (including but not limited to making tax returns); (vi) manage Optiver's employment relationships; (vii) 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 (viii) operate Optiver's business (including managing counterparty relationships).
- (2) **Administration.** To the extent you engage with Optiver or Optiver Group, to manage the relationship, to verify your identity and send important information to you.
- (3) **Legal obligations.** To meet (i) applicable legal, reporting and compliance requirements, such as managing risks, preventing, detecting, or investigating a crime, preventing losses or fraud, (ii) Optiver or Optiver Group's internal and external audit requirements or information security needs, (iii) such other requirements as Optiver otherwise believes to be necessary or appropriate, including but not limited to: (A) requirements under applicable law, regulation, codes and guidelines (including the Australian Privacy Principles and the Privacy Act 1998 (Cth) (the "Australian Privacy Act"), the NZ Privacy Act, the Personal Data (Privacy) Ordinance in HK, the PDPA and EU Data Protection Laws), which may include laws outside Taiwan; and/or (B) requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside Taiwan; and/or (iv) the need to protect Optiver or Optiver Group's rights, privacy,



safety, or property, or those of other persons.

- (4) **Claims.** To establish, exercise, defend a claim or any other purposes in connection with any claims made by or against Optiver or Optiver Group (this includes but not limited to claims involving you, Optiver or Optiver Group (as may be applicable)) in respect of any business activities of Optiver or Optiver Group.
- (5) **Assignment.** To enable an actual or proposed assignee of Optiver or Optiver Group, or participant or sub-participant of Optiver or Optiver Group's rights in respect of any transaction intended to be the subject of the assignment, participation or sub-participation involving you.
- (6) **Obtaining employee feedback.** In relation to employees and contractors of Optiver or Optiver Group, 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.
- (7) **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.
- (8) **Other permitted purposes.** For the following specific purposes under the "Categories of Specified Purposes and Personal Data under Personal Data Protection Law" (as may be amended from time to time): (001) Life and Health Insurance, (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), (003) Entry into/departure from the country and immigration, (031) National health insurance, labor insurance, national pension insurance or other social insurance, (059) Financial service enterprise's collection and processing of information in accordance with the law and based on the need for financial supervision, (061) Financial supervision, administration and inspection, (063) Non-governmental agency's collection or processing of personal information to meet legal obligations, (069) Contract, contract-like or other legal or compliance reasons, (104) Accounting management and debt trading business, (114) Labor administration, (120) Tax administration, (129) Accounting and related services, (136) Information (communication) and database



management, (137) Information and communication security and management, (150) Supplemental and back office support management, (154), Reference check, (157) Investigation, statistics and research analysis, (166) Securities, futures, and securities investment and consulting related business, (168) Passport, visa and document verification management, (173) Supervision and management of the relevant business by other government agencies, and (181) Other business operation consistent with registered business or as described in the constitutional document.

二、本公司蒐集您之個人資料類別：

(一) 根據您與本公司間往來之性質，本公司可能蒐集之個人資料類型如下：

1. 識別類（如姓名、身分證字號、通訊地址、聯絡電話、傳真號碼、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、為法律或法律遵循原因需要之交易紀錄、簽證及護照號碼、影像）。
2. 特徵類（如性別、出生日期）。
3. 家庭情形（如婚姻狀況、緊急連絡人）。
4. 受僱情形（如薪水、工作表現、休假紀錄、補假紀錄、與請假或證照及資格相關之其他資訊）。
5. 反饋，包括在回覆僱用和回覆其他調查中所表達之意見，有關工作習慣和實際表現之訊息以及有關個人和管理績效之反饋。
6. 其他（如宗教信仰、種族、有助於本公司處理您所為之申請之訊息，例如就業前訊息篩選（包括詳細犯罪前科紀錄）、執照及證照資料、詳細資格條件資料，及其他對本公司所提供與您相關之任何資訊）。

(二) 請注意並非所有本公司所保有關於您之個人資料皆由您直接提供。本公司可能經由您以外之來源蒐集您之個人資料，例如，經由公開可取得之資訊、先前或目前之雇主、第三方推薦人、政府機關、雇前調查機構或其他非政府組織。若係如此，其將會確保其所為符合隱私權相關法規、本告知書及目的，且本公司利用、處理及保存您個人資料亦會如本告知書中所述。

(三) 如果本公司要求您提供有關其他個人之個人資料時，本公司信賴：

1. 您會告知該個人本公司蒐集該人之個人資料，且本公司將會依據本告知書蒐集、利用、揭露或處分該人之個人資料；及
2. 於本公司透過您蒐集該個人之敏感個人資料之範圍內，您會取得該人之書



面同意，同意本公司得依據本告知書，蒐集、揭露或處理該人之敏感個人資料。

於提供其他個人之個人資料予本公司時，您須確保您係有效代表該個人蒐集、利用、處理或揭露此類個人資料，且您代表該個人同意本公司得依據本告知書蒐集、利用、揭露或處理該個人之個人資料。

(四) 本公司於蒐集您之敏感個人資料時，亦將取得您之書面同意。

2. Classification of your personal information Optiver may collect:

(i) Depending on the nature of your dealings with Optiver, example of the type of personal information we may collect include:

(1) Types for identification (for example: name, ID number, address, contact number, fax 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, other information regarding leaving taking and related licenses and qualifications).

(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, information that helps Optiver to process applications made by you such as pre-employment screening information(including details of prior criminal records), license and certification information, details of qualifications and any information that is provided about you to Optiver).

(ii) Please note that not all of the personal information Optiver holds about you will necessarily be collected 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 organizations to which the individual belongs. When it does so, it will ensure that it acts in accordance with relevant privacy laws and this Notice and the



purpose and Optiver's use, processing and holding of your personal information are as described in this Notice.

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

- (1) notify those individuals of our collection of their personal information and that we will collect, use, disclose or otherwise process their personal information in accordance with this Notice; and
- (2) to the extent Optiver collects their sensitive information from you, obtain their written consent to their sensitive information being collected, used, disclosed or otherwise processed by us in accordance with this Notice.

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, processing 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 processed by us in accordance with this Notice.

(iv) Optiver will obtain your written consent when collecting your sensitive personal information.

三、本公司利用您之個人資料期間、地區、對象及方式：

(一) 期間：(1)基於蒐集該等資料之目的所必要者，(2) 本公司或本公司所屬集團依相關法令規定應保存您的個人資料，或(3)本公司所屬集團從事業務所必要者。

(二) 地區：台灣、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/>)及其他本公司之供應商、代理人、承包商、與本公司業務執行、僱用事務及支付服務相關之服務提供商、依據任何法律、規則、法規，本公司或本公司所屬集團有義務向其揭露個人資料之任何個人、機構或主管機關、或就處理您之個人資料負有保密義務之任何個人或受本公司委託之機構之所在地區，例如加拿大、澳洲、愛爾蘭、荷蘭、香港、美國、英國或新加坡等地區。

(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/>)、以及本公司之供應商、代理人、承包商、與本公司業務執行、僱用事務及支付服務相關之服務提供商、依據任何法律、規則、法規，本公司或本公司所屬集團有義務向其揭露個人資料之任何個人、機構或主管機關、或就處理您之個人資料負有保密義務之任何個人或受本公司委託之機構，例如位於加拿大之Global Relay Communications Inc.、位於愛爾蘭之Workday Inc.

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- (四) 方式：本公司得以電子或紙本形式保存個人資料，或以自動化機器或其他非自動化方式蒐集、處理並利用個人資料。

3. Time period, areas, parties and ways of using your personal information:

- (1) Time period: For so long as the latest of (i) it is necessary for the purposes for which your personal information was collected, (ii) the period during which Optiver or Optiver Group is required under applicable laws or regulations to retain your personal information, or (iii) as necessary in the course of conducting Optiver's or Optiver Group's business.
- (2) Areas: within the territory of Taiwan, the territory of Optiver Group listed on the website of Optiver Group (<http://optiver.com>) and other territory of Optiver's suppliers, agents, contractors, service providers in connection with any of Optiver's business operation, employment matters and payment services, any person or entity or government authorities to whom Optiver or Optiver Group is under an obligation to disclose under the requirements of any law, rules or regulations, any necessary persons under a duty of confidentiality or 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, Optiver Group listed on the website of Optiver Group (<http://optiver.com>), Optiver's suppliers, agents, contractors, service providers in connection with any of Optiver's business operation, employment matters and payment services, governments agencies, any person or entity to whom Optiver or Optiver Group is under an obligation to disclose under the requirements of any law, rules or regulations, any necessary persons under a duty of confidentiality, 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: Optiver may hold personal data electronically or in paper files or collect, process or use personal data through automated machine or non-automated equipments

四、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。

4. According to Article 3 of the PDPA, 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:

(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 PDPA.

(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 PDPA and Article 21 of the Enforcement rules of the PDPA, 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 fulfillment of a legal obligation and the dispute has been recorded.

五、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，惟您若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(一)將無法考慮您之求職申請(若您為求職者)，(二)將無法對您進行升遷、調動或安置或提供您特定之福利(若您為員工)，或(三)將無法與您往來。

5. Impact of the rights and interests if not providing personal information:

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 its affiliated companies, and other entities mandated by Optiver may not be able to (a) for job applicants, consider your employment application, (b) for employees, effect promotion, transfer or relocations, or the provision of certain benefits to you; or (c) otherwise, to engage with you.



六、本告知書之修訂

本告知書之最新更新版本為西元2022年3月21日。

為配合新法律或法令之要求、業界實務或其他原因，本公司可能隨時修改此告知書。任何之修改都會公布在此網站之本告知書，因此，本公司鼓勵您定期查看本告知書之內容，以確保您瞭解任何之修改。

6.Changes to this Notice

This Notice was last updated on March 21st, 2022.

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

七、關於本告知書之事項，如何與本公司聯繫

任何上述與本告知書有關或與本公司蒐集、使用或處理您之個人資料有關之請求、詢問、申訴，請以下列方式與本公司聯絡：

legal@optiver.com.au

7. How to contact us with respect to the matters of this Notice

Any abovementioned requests, enquiries or complaints with respect to this Notice or Optiver's collection, use, or processing of your personal information, you may contact us via legal@optiver.com.au

八、您充分瞭解上述告知事項並同意依上述內容蒐集、處理及利用您之個人資料。

8. You fully understand the matters specified above and agree to the collection, processing and use of your personal information as described above.