

## WHY IS A PRIVACY POLICY IMPORTANT TO ME?

We are firmly committed to protecting both our current and former members' financial and personal information. We maintain high standards to safeguard personal information. We will remain vigilant in protecting that information and in using it in a fair and lawful manner. This Privacy Policy embodies our commitment to its protection through adherence to fair electronic information practices. You have our promise that we will not electronically process your personal information in any way that is incompatible with this Privacy Policy.

## WHAT PERSONAL INFORMATION DOES NADEX COLLECT FROM ME?

In order for you to become a member of the North American Derivatives Exchange, Inc. ("Nadex") and to execute transactions on the Nadex trading platform, we will need to collect and maintain certain personal non-public information about you.

- We collect and maintain information provided by you on your membership application forms. The information that we collect and maintain may include your social security number/national identification number, name, address, phone number, email address, date of birth, employment information, driver's license or state identification card number, and bank account information.
- We collect and maintain documentation provided by you that assists us with our Customer Identification Program and Anti-Money Laundering Policy requirements. Examples of such documents may include, but are not limited to, your driver's license, state identification card, passport, social security card, utility bills, or bank account statement.
- We collect and maintain information you enter into the online application prior to submission of the application, to enable you to complete the application at a later time, and to contact you with news, marketing, and other relevant information.
- We collect and maintain information about your transactions with us, such as your account balance, trading activity and money movement into and out of your account. This information helps us administer your account and provide you with better service.
- We collect and maintain information about you from consumer reporting agencies and other organizations in order to verify your identity and ensure that no one is using your information without your authorization. Such information includes your social security number/national identification number, name, date of birth and address. We may also collect and maintain this information in accordance with certain state and federal regulations based on our status as a Contract Market doing business within the United States.
- We collect and maintain information that is provided by cookies. We use cookies to assist us in securing your trading activities and to enhance the performance of our website. (Cookies are small text files sent from the web server to your computer.) The Nadex website uses a common technique, HTTP-header cookies, to identify one page request from another. The cookies this site creates do not contain any personal information nor do they contain account or password information. They merely allow the site to recognize that a page request comes from someone who has already logged on. While your browser may allow you to "reject" cookies, our web site requires that you accept all cookies in order for the web site features and security mechanisms to function fully.
- When you use or connect to a Nadex website or download a mobile app by or through a Third Party Platform, such as Facebook or other social networking site, you allow us to access and/or collect certain information from your Third Party Platform profile/account (such as your Facebook account) or via any cookies placed on your device by such Third Party Platform as permitted by the terms of the agreement and your privacy settings with the Third Party Platform. We will share such information with the Third Party Platform for their use as permitted by the terms of the agreement and your privacy setting with the Third Party Platform.

## WHAT INFORMATION IS NADEX DISCLOSING ABOUT ME TO THIRD PARTIES?

Nadex takes great care in protecting your confidential information. Only authorized Nadex personnel have access to your confidential information. Such personnel will use your information only in connection with executing transactions that you initiate, and in administering your account. Nadex may disclose your personal information to certain third parties, including non-affiliates, that perform valuable services to us or on behalf of us, or in order to provide you with the best-possible trading experience. Nadex shares personal information with third parties only in the following circumstances:

- We may disclose information to companies that assist us in processing all of the transactions that occur within your account and on Nadex, and/or that provide other services including, but not limited to, identification verification and bank account verification.
- Information may also be disclosed to third parties without your consent if disclosure is necessary to comply with legal or regulatory processes or to protect the rights, property, or personal safety of Nadex, its Members or the public.
- We will share some of the information we collect from you upon submission of, and/or completion of any field in the Nadex Membership Application, and/or install of the mobile app with vendors and other service providers who are engaged by or working with us in connection with the operation of the services we provide to you and/or for analytics purposes which may require the reproduction and display of such information in an aggregated and anonymized manner such that will not in any way identify you. You may "opt out" of the use of your information for third party analytics purposes by sending an email request to [opt-out@nadex.com](mailto:opt-out@nadex.com), from the email address registered with your Nadex account, identifying your name and username and requesting to "opt-out" of Nadex analytics. If you "opt out" with this third party analytics provider, that action is specific to the information we collect specifically for that provider, and does not limit our ability to collect and disclose information about you, under the terms of this privacy policy, for other vendors.
- Information may also be disclosed about you to your employer IF you are employed by or affiliated with another exchange, regulatory body, FINRA or NFA member. Such entities may be required to monitor your trading activity as defined under applicable securities and commodities laws.

When we share personal information with companies working on behalf of Nadex, we generally enter into a contractual agreement with the third party requiring it to maintain the confidentiality of your personal information and prohibiting it from using or disclosing your information, except for the limited purpose and to the persons for whom disclosure was intended and as otherwise permitted by law.

## AM I ABLE TO OPT OUT?

The law allows you to "opt out" of our information sharing with certain kinds of third parties. This means that you can ask us not to share your personal information with certain affiliated and non-affiliated companies. Nadex does not share your personal information with any third parties that trigger this opt out right. This means YOU ARE ALREADY OPTED OUT.

Additionally, you may opt out to use of your information for analytics purposes as set forth herein, and from direct marketing emails and/or text messages by responding to the communication with "unsubscribe" (emails) or "STOP" (text messages).

## WHAT IF I WANT TO REVIEW OR CHANGE ANY OF MY PERSONAL NON-PUBLIC INFORMATION?

The accuracy of your personal information is important to us. If you are a member and have a concern about your personal or account information maintained at Nadex or want to correct, update, or confirm your information, please login to our website using your Username and Password. After logging in, under the My Account tab, follow the instructions under the 'Settings' and 'Personal Details' tabs.



For name changes, you will be required to submit appropriate legal documentation evidencing the change along with a brief description of the reason for the change in order to assist in the protection of your personal information. Once the name change has been completed, Nadex will send you an email telling you that your name has been successfully changed.

#### HOW DOES NADEX PROTECT MY PERSONAL INFORMATION?

We have made a significant investment in leading-edge security software, systems, and procedures to offer you a safe and secure trading environment and protect your personal, financial and trading information. While no security system is absolutely impenetrable, we are constantly reviewing, refining and upgrading our security technology, as new tools become available.

When you open an account with us, you are asked to choose a unique Username and Password to access and secure your account and account information.

Remember: you are ultimately responsible for maintaining the secrecy of your Username and Password. We strongly recommend that you do not disclose this information.

On our trading portal, we also use technology to encrypt information transmitted by or to you through our Web site. In order to maximize the benefits of this technology, we recommend that you utilize a browser with strong encryption capabilities.

#### WHAT IF THERE ARE MATERIAL CHANGES MADE TO THIS PRIVACY POLICY?

If, at any time in the future, material changes are made to this Privacy Policy, you will be given advance notice of the planned changes.

#### CAN I CONTACT YOU IF I HAVE ADDITIONAL QUESTIONS REGARDING THE NADEX PRIVACY POLICY?

Should you have any questions or concerns about the Nadex Privacy Policy, please email us.

#### WHAT IS THE EFFECTIVE DATE OF THE NADEX PRIVACY POLICY?

This Privacy Policy was amended as of November 1, 2017.

#### REMEMBER

- Nadex does not sell your personal information to anyone;
- Except as otherwise stated herein, you are already opted out from sharing personal information with third parties;
- We protect the security and confidentiality of your personal information.