**PRIVACY POLICY**

# GENERAL PROVISIONS

1.1 The organization responsible for data processing is SmartSwap or an authorized third party according to

the contract.

1.2 Personal Data collected by SmartSwap is processed in accordance with the requirements of applicable law.

1.3. SmartSwap, in accordance with the requirements of applicable law, ensures confidentiality of Personal Data and implements appropriate technical and organizational measures to protect Personal Data from unauthorized access, disclosure, accidental loss, alteration, destruction or other unlawful processing.

1.4 This Privacy Policy sets out our ongoing commitment to data protection and privacy. Accordingly, we aim to collect and process only data that is strictly necessary in the context of our interaction with (potential) customers, for specific and legitimate purposes.

1.5 We publish our Privacy Policy in its most current version.

By accessing and using SmartSwap, you acknowledge that you have read, understood and agree to this Privacy Policy.

1.6 This Privacy Policy is an integral part of the SmartSwap Terms of Use and is binding on SmartSwap.

1.7. SmartSwap reserves the right, in its sole discretion, to modify this Privacy Policy at any time by

posting an updated version of the Privacy Policy.

# TYPES OF DATA TO BE COLLECTED

2.1 The primary purpose for which SmartSwap collects your Personal Data is to provide you with access to use SmartSwap Products.

 We need to collect and store your personal data in order to provide you with our products, comply with laws and improve our products.

2.2 We will collect, and process the following data:

2.2.1 The information you provide to us.

You may provide us with information about yourself when you register to use our products, for example, when you provide us with personal information such as your Telegram username, profile name, URL photo, Telegram ID and phone number. This also includes information you provide when you continue to use our products, participate in promotions or surveys, and report problems with our products.

The information you provide to us may include your name, date of birth, address, telephone number, identification, identity information (such as ID and citizenship) and financial information.

2.2.2 The information we collect about you.

With respect to your use of our products, SmartSwap may automatically collect the following information:

* Details of the transactions you make when using our software.
* Technical information, your login details, operating system and platform.

2.2.3 Information we collect from other sources.

SmartSwap may receive information that you share with third parties when you use the SmartSwap Service, such as user verification organizations. Third parties other than SmartSwap may process the users identified in Section 6 of this Policy.

* 1. Data Retention Period: Unless otherwise required by law, you agree that we have the right, but not the obligation, to retain all personal data collected throughout your use of our products and for a period required by law, but not exceeding 5 years.
	2. We do not collect information from anyone under the age of 18. If you are under 18 years of age, you

may not provide us with any personal information or use SmartSwap products.

# HOW WE PROTECT YOUR PERSONAL INFORMATION

3.1 SmartSwap protects your personal information by utilizing secure storage with industry standard encryption. We have implemented a number of security measures to ensure that your information is not lost, misused or altered, including but not limited to the following:

3.1.1 Physical measures

Tangible media containing your personal data will be stored in a strictly secured room.

3.1.2 Electronic measures

Computer data containing your personal data will be stored on computer systems and tangible storage

media that are protected by strict log-in restrictions.

3.1.3 Management measures

Only authorized employees are permitted to come into contact with your personal information, and such employees have committed to abide by our internal privacy policy.

3.1.4 Technical measures

Encryption technology may be used to transmit and store your personal information. We use various security technologies and controls currently available to minimize the risk of your personal information being exposed, corrupted, misused, obtained without authorization, disclosed without authorization, or altered. A dedicated service actively monitors abnormal and malicious activity on our servers and services.

3.1.5 Other measures

We are committed to protecting your information from unauthorized access, alteration, disclosure or destruction of the personal information we collect and store.

We take various measures to ensure information security, including:

* Encrypting our communication with you.
* Periodic review of our methods of collecting, storing and processing personal data.
* Limited access to your personal data on a need-to-know basis to our employees and suppliers who are

subject to strict contractual confidentiality obligations.

* 1. Please note that it is impossible to guarantee 100% security of your data. Therefore, you are asked to take measures to protect your personal data yourself.
	2. You agree that SmartSwap shall not be liable for any loss of information or other damages not caused by intent or gross negligence, including but not limited to hacking, power failure or unavoidable technical failure, to the maximum extent permitted by law.
	3. If you suspect that your personal data has been compromised, please contact us immediately.

# HOW WE USE YOUR PERSONAL DATA

4.1 We use the information we collect about you for the following purposes or in the following ways:

4.1.1 To provide our products

SmartSwap uses the data collected to fulfill its obligations to you, to provide you with information and products, and to verify your identity.

4.1.2 For your protection and ours

We use the information we collect to protect our platforms, user accounts and archives, and to protect against automated abuse such as spam, phishing and DDoS attacks.

We analyze your activity in our software to detect suspicious behavior as early as possible and prevent potential fraud and loss of funds by unscrupulous participants.

4.1.3 To comply with legal requirements

With respect to privacy and security of personal data, SmartSwap will use the information in accordance with its legal obligations, government requests and reasonable requests of users.

4.1.4 For research and development, SmartSwap actively measures and analyzes data to administer its products and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes, and understanding how you use and interact with our products.

This review is conducted by our operations teams to continuously improve our products and troubleshoot user interactions with the interface. In addition, SmartSwap uses such information to customize, evaluate, and improve our products.

4.1.5 Interaction with users

Without collecting and processing your personal data to validate each message, SmartSwap will not be able

to:

 - to respond to requests you send.

All communications are properly retained by the service provider designated to verify accuracy to be kept as evidence or used to fulfill other legal or contractual obligations.

4.1.6 To ensure compliance with our Terms of Use

The information collected is also used to continuously and proactively enforce our terms and conditions, including, but not limited to, reviewing, investigating and preventing any potentially prohibited or illegal activity that may violate the above provisions, or disclosing relevant information to a third party, and SmartSwap reserves the right to suspend or terminate any product to any user found to be in violation of the terms.

4.1.7 For marketing and advertising

SmartSwap may share your Personal Data with our marketing partners for targeting, modeling and/or analytics, marketing and advertising purposes. 4.1.8 For other purposes

SmartSwap may disclose your personal information for any other purpose for which you have given

additional consent by signing a written document or completing an electronic form provided by the operator.

# LEGAL BASIS FOR PROCESSING

5.1 When we process your personal data, we rely on one of the legal bases for processing set out below. We may process your personal data on more than one lawful basis, depending on the specific purpose for which we use your data.

5.1.1 Execution of the contract

If necessary, SmartSwap may process personal data if the processing of your personal data is necessary to fulfill its obligations under the Terms of Use that we have entered into with you.

5.1.2 Legal obligation or in the public interest

Processing purposes include identity verification controls, money laundering and fraud prevention, risk and the provision of information to the competent authority, public authority and others.

5.1.3 Legitimate interests

Where necessary, SmartSwap may process personal data if we or third parties have a legitimate interest in it, investigating commercial and business interests, unless such interests override your interests, fundamental rights and freedoms.

5.1.4 Your consent

In certain circumstances, SmartSwap may request specific authorization from you to process personal information for certain purposes.

Your data will be processed in this way if you consent to this. If the legal basis is the consent you have given, you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of the data processed prior to withdrawal.

# WHO GETS YOUR PERSONAL DATA

6.1 SmartSwap receives your personal data to fulfill your requests and to comply with our contractual and legal obligations.

6.2 We share your personal data with third parties where it is necessary for our legitimate business needs to fulfill requests and provide products and/or as required or permitted by law. Third parties in such circumstances include:

6.2.1 Service Providers

SmartSwap will disclose personal data to third party partners and service providers (processors) so that they can process it on our behalf, where appropriate. These service providers are required to provide sufficient safeguards under data protection law - for example, by being bound by contractual obligations regarding privacy and data protection. We will only share personal information that is necessary for them to provide the service.

6.2.2 Auditors and consultants

We may disclose personal data for the purposes and in the context of audits - e.g. external audits, audits - to legal and other advisors to investigate security issues, risks, complaints, etc.

6.2.3 Supervisory bodies, law enforcement agencies, courts

SmartSwap may disclose Personal Data in accordance with applicable law and regulatory obligations to respond to requests from regulatory agencies, government and law enforcement authorities, courts and court orders.

6.2.4 Other persons

Other recipients may be any natural or legal persons to whom you ask to transfer your data - e.g. link, etc. - or consent to the transfer of personal data.

6.3 SmartSwap may also disclose your data in the following cases:

● If we are under a legal or regulatory obligation or requirement to disclose or share your personal data.

To enforce or apply the terms and conditions or any other agreement in force in the context of our contractual relationship and to investigate possible breaches.

To protect our rights, safety or property, or the rights of our customers or third parties/public. Includes sharing information with other companies and organizations for the purpose of obtaining information about handling of criminally derived funds, fraud prevention and other similar risks, crimes.

# CROSS-BORDER TRANSFER OF PERSONAL DATA

The above mentioned refers to the personal data of users.

7.1 Your personal data may be transferred to third countries or international organizations if the transfer is necessary and has a legal basis as described in this document. For example:

* In accordance with applicable law.
* Based on your instructions or consent.
* In the context of data processing carried out by third parties on our behalf

# YOUR RIGHTS

8.1. In accordance with applicable law, you have the right to access the information we hold about you. Your right of access may be exercised in accordance with applicable data protection legislation. If you have any questions about our use of your personal information, please contact us. In certain circumstances you may require us to:

* To provide you with more information about how we use your personal data.
* Provide you with a copy of the data you have given us.
* Update any inaccurate, incorrect or outdated personal data we hold. ● Delete any personal data that is no longer needed or no longer subject to legal obligations. ● If the processing is based on your consent, withdraw your consent so that we stop that particular processing.
* When we implement fully automated decision-making that results in legal obligations or similar actions. ● Object to any processing on the grounds of legitimate interests, unless our reasons for such processing outweigh any infringement of your data protection rights.
* Limit the use of your information during a complaint investigation.

8.2 When you exercise these rights, there are certain exceptions to protect the public interest - such as preventing or solving crimes - and our interests - such as preserving legal privilege.

# CHANGES TO OUR PRIVACY POLICY

9.1.To keep up with changing legislation, best practices and changes in the processing of personal data, we

may update this Privacy Policy as appropriate.