

# XTM International Privacy Policy

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## 2. Introduction

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This privacy policy applies between you, the User of this Website and XTM International Ltd, the owner and provider of this Website. XTM International Ltd takes the privacy of your information very seriously. This privacy policy applies to our use of any and all Data collected by us or provided by you in relation to your use of the Website. **Please read this privacy policy carefully.**

### 3. Definitions and interpretation

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In this privacy policy, the following definitions are used:

<b>Data</b>	collectively all information that you submit to XTM International Ltd via the Website. This definition incorporates, where applicable, the definitions provided in the General Data Protection Regulation (EU) 2016/679 2018 and the Data Protection Act 2018;
<b>Cookies</b>	a small text file placed on your computer by this Website when you visit certain parts of the Website and/or when you use certain features of the Website. Details of the cookies used by this Website are set out in the clause below <b>(Cookies)</b> ;
<b>XTM International Ltd, we or us</b>	XTM International Ltd, a company incorporated in England and Wales with registered number 4217452 whose registered office is at 7/8 Eghams Court, Boston Drive, Bourne End, Bucks, SL8 5YS;
<b>UK and EU Cookie Law</b>	the Privacy and Electronic Communications (EC Directive) Regulations 2003 as amended by the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011;
<b>GDPR</b>	The General Data Protection Regulation (EU) 2016/679 2018 and the Data Protection Act 2018;
<b>Data Subject User or you</b>	any third party that accesses the Website and is not either (i) employed by XTM International Ltd and acting in the course of their employment or (ii) engaged as a consultant or otherwise providing services to XTM International Ltd and accessing the Website in connection with the provision of such services; and
<b>Data Processor</b>	The organisation processing data. This maybe XTM International or a third party.
<b>Data Controller</b>	The organisation collecting data. This maybe XTM International or a third party.
<b>Website</b>	the website <a href="http://www.xtm.cloud">www.xtm.cloud</a> , and the application XTM, publicly available at <a href="http://www.xtm-cloud.com">www.xtm-cloud.com</a> or privately hosted by XTM International and made available on your domain. This includes any sub-domains of these sites unless expressly excluded by their own terms and conditions

## 4. Privacy policy

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### Scope

This privacy policy applies only to the actions of XTM International Ltd and Users with respect to your use of XTM international Services which include our:

- Websites
- SaaS Products – XTM Cloud

It does not extend to any websites that can be accessed from this Website including, but not limited to, any links we may provide to social media websites.

### What Data do we collect and process?

1. We may collect the following Data, which includes personal Data, from you:
  - a. Name
  - b. Job Title;
  - c. Profession;
  - d. Contact Information such as email addresses and telephone numbers;
  - e. Demographic information such as post code, preferences and interests;
  - f. Web browser type and version (automatically collected);
  - g. Operating system (automatically collected);
  - h. in each case, in accordance with this privacy policy.

### How do we use this Data?

2. For purposes of GDPR XTM International Ltd is the "data controller" and or data processor.
3. Unless we are obliged or permitted by law to do so, and subject to any third-party disclosures specifically set out in this policy, your Data will not be disclosed to third parties. This does not include our affiliates and / or other companies within our group.
4. All personal Data is stored securely in accordance with the principles of the GDPR.
5. Any or all of the above Data may be required by us from time to time in order to provide you with the best possible service and experience when using our Website. Specifically, Data may be used by us for the following reasons:
  - a. internal record keeping;
  - b. improvement of our products / services;
  - c. transmission by email of promotional materials that may be of interest to you;in each case, in accordance with this privacy policy.

### How long do we retain this Data?

6. We will hold on to your information for as long as you have your account, or we need to provide our products, services or support to you.
7. In certain situations, for example, if necessary to meet legal or regulatory requirements, resolve disputes, prevent fraud and abuse, or enforce our terms and conditions, we may also keep hold of some of your information beyond this period.
8. We will not hold your data for any longer than is required.

### Your rights as Data Subjects

9. You have the right to ask for a copy of any of your personal Data held by XTM International Ltd ("right of access"), where such Data is held.
10. You have the right to request your personal Data held by XTM International Ltd be removed ("right to be forgotten") or to be ported to another provider ("right to portability").
11. You have the right to complain to the data protection regulator in the UK, the Information Commissioner's Office (ICO) <https://ico.org.uk>

### **Who to contact in relation to Data**

12. All requests in relation to data should be addressed to our Data Controller who can be reached on [support@xtm-intl.com](mailto:support@xtm-intl.com).

### **Third party websites and services**

13. XTM International Ltd may, from time to time, employ the services of other parties for dealing with certain processes necessary for the operation of the Website. The providers of such services do not have access to certain personal Data provided by Users of this Website.

### **Links to other websites**

14. This Website may, from time to time, provide links to other websites. We have no control over such websites and are not responsible for the content of these websites. This privacy policy does not extend to your use of such websites. You are advised to read the privacy policy or statement of other websites prior to using them.

### **Changes of business ownership and control**

15. XTM International Ltd may, from time to time, expand or reduce our business and this may involve the sale and/or the transfer of control of all or part of XTM International Ltd. Data provided by Users will, where it is relevant to any part of our business so transferred, be transferred along with that part and the new owner or newly controlling party will, under the terms of this privacy policy, be permitted to use the Data for the purposes for which it was originally supplied to us.

16. We may also disclose Data to a prospective purchaser of our business or any part of it.

17. In the above instances, we will take steps with the aim of ensuring your privacy is protected.

### **Controlling use of your Data**

18. Wherever you are required to submit Data, you will be given options to restrict our use of that Data. This may include the following:

19. use of Data for direct marketing purposes; and

20. sharing Data with third parties.

### **Functionality of the Website**

21. To use all features and functions available on the Website, you may be required to submit certain Data.

22. You may restrict your internet browser's use of Cookies. For more information see the clause below (**Cookies**).

### **Data Security**

23. Data security is of great importance to XTM International Ltd and to protect your Data we have put in place suitable physical, electronic and managerial procedures to safeguard and secure Data collected via this Website.

24. If password access is required for certain parts of the Website, you are responsible for keeping this password confidential.

25. We endeavour to do our best to protect your personal Data. However, transmission of information over the internet is not entirely secure and is done at your own risk. We cannot ensure the security of your Data transmitted to the Website.

26. In the event of a Data breach XTM International Ltd shall notify the regulators (ICO) within 72 hours and, if high risk, the Data Subjects within a similar timeframe.

## Cookies

27. This Website may place and access certain Cookies on your computer. XTM International Ltd uses Cookies to improve your experience of using the Website and to improve our range of services. XTM International Ltd has carefully chosen these Cookies and has taken steps to ensure that your privacy is protected and respected at all times.
28. All Cookies used by this Website are used in accordance with current UK and EU Cookie Law.
29. Before the Website places Cookies on your computer, you will be presented with a message bar requesting your consent to set those Cookies. By giving your consent to the placing of Cookies, you are enabling XTM International Ltd to provide a better experience and service to you. You may, if you wish, deny consent to the placing of Cookies; however certain features of the Website may not function fully or as intended.
30. This Website may place the following Cookies:

Type of Cookie	Purpose
Strictly necessary cookies	These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services
Analytical/performance cookies	They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
Functionality cookies	These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
Targeting cookies	These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

31. You can choose to enable or disable Cookies in your internet browser. By default, most internet browsers accept Cookies but this can be changed. For further details, please consult the help menu in your internet browser.
32. You can choose to delete Cookies at any time; however you may lose any information that enables you to access the Website more quickly and efficiently including, but not limited to, personalisation settings.
33. It is recommended that you ensure that your internet browser is up-to-date and that you consult the help and guidance provided by the developer of your internet browser if you are unsure about adjusting your privacy settings.

## Transfers outside the European Economic Area

34. Data which we collect from you may be stored and processed in and transferred to countries outside of the United Kingdom or European Economic Area ("EEA"). For example, this could occur if our servers are located in a country outside the United Kingdom or EEA or one of our service providers is situated in a country outside the United Kingdom or EEA. We also share information with our group companies, some of which are located outside the United Kingdom and EEA. These countries may not have data protection laws equivalent to those in force in the United Kingdom or EEA.



35. If we transfer Data outside the United Kingdom or EEA in this way, we will take steps with the aim of ensuring that your privacy rights continue to be protected as outlined in this privacy policy. You expressly agree to such transfers of Data.

### **Products installed by an organization**

36. XTM can be installed and administered by organizations on their own infrastructure. That organization is responsible for the sites over which it has control. Users of such sites should direct data privacy questions to their administrator, as their use of the Services is subject to that organization's policies. XTM International is not responsible for the privacy or security practices of an administrator's organization, which may be different from this policy.

### **General**

37. You may not transfer any of your rights under this privacy policy to any other person. We may transfer our rights under this privacy policy where we reasonably believe your rights will not be affected.

38. If any court or competent authority finds that any provision of this privacy policy (or part of any provision) is invalid, illegal or unenforceable, that provision or part-provision will, to the extent required, be deemed to be deleted, and the validity and enforceability of the other provisions of this privacy policy will not be affected.

39. Unless otherwise agreed, no delay, act or omission by a party in exercising any right or remedy will be deemed a waiver of that, or any other, right or remedy.

40. This Agreement will be governed by and interpreted according to the law of England and Wales. All disputes arising under the Agreement will be subject to the exclusive jurisdiction of the English and Welsh courts.

### **Changes to this privacy policy**

41. XTM International Ltd reserves the right to change this privacy policy as we may deem necessary from time to time or as may be required by law. Any changes will be immediately posted on the Website and you are deemed to have accepted the terms of the privacy policy on your first use of the Website following the alterations.

42. You may contact XTM International Ltd by email at [marketing@xtm-intl.com](mailto:marketing@xtm-intl.com)



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