

**Toronto Futures Options Swaps Exchange Inc.  
Privacy Policy**

Last updated: April 14, 2020

This Privacy Policy applies to the information submitted or collected by tFOSE Group Holdings Inc. (tFOSE) and its affiliates and subsidiaries, Toronto Futures Options Swaps Exchange Inc., tFOSE Clear Inc. and tFOSE Technologies Inc. collectively, “(tFOSE)”, on [www.tfose.com](http://www.tfose.com) (the “**Website**”). This Privacy Policy covers the following:

1. The personally identifiable information (“**Personal Data**”) collected from you through the Website;
2. tFOSE’s treatment of your Personal Data and other data we gather when you use the Website;
3. How and with whom the Personal Data may be shared;
4. The choices available to you regarding the use of your data;
5. The security procedures in place to protect the misuse of your information; and
6. How you can correct inaccuracies in your Personal Data.

By using the Website, you are consenting to the terms described in our Privacy Policy as well as our Terms of Use, located at [www.tfose.com](http://www.tfose.com).

If you have any questions about this Privacy Policy or our use of your personally identifiable information, please submit a support request or contact us at:

Toronto Futures Options Swaps Exchange Inc.  
Attention: Privacy Office  
18 King Street East, Suite 810, Toronto, Ontario, M5C 1C4

***What personal data does tFOSE collect?***

The Website permits you to contact tFOSE via email, telephone or through the submission of a request for more information. Whenever you contact us via email, telephone or through the request for more information form, you will be providing us with your name, email address and any information you choose to include in the text of your message. For example, you may choose to provide your mailing address or other information necessary or helpful for us to address your query or concern. We collect Personal Data from you when you voluntarily provide such information.

***How does tFOSE use my Personal Data?***

tFOSE uses Personal Data to perform the services requested or respond to your inquiry.

Unless you opt-out, tFOSE will also contact you regarding products, services or changes to this Privacy Policy. See below to learn how to opt-out of any further messages of this nature from us.

We may also use your Personal Data in aggregate form as described under “How Does tFOSE use Aggregate Data.” When we do this the data is anonymized so that you cannot be personally identified.

***How Does tFOSE use Aggregate Data?***

tFOSE may provide aggregate information to its clients or partners about how its members, collectively, use its services. tFOSE may also share aggregated user statistics in order to describe its business to current and prospective business partners and clients, and to other third parties. This aggregated data does not identify you individually.

***How does tFOSE share my Personal Data?***

tFOSE considers your Personal Data an essential part of our relationship with you and a key component in delivering you a great service. We do not sell this information or provide it to third parties except as described in this Privacy Policy. There are times though when we need to share this data with certain third parties in order to operate our business. These circumstances are described below:

- a) *Responding to an Inquiry* – tFOSE will share your information, as necessary, to respond to the inquiry or concern that you have raised;
- b) *Business transactions and related companies* – As we operate tFOSE we may buy or sell business assets or the company, merge with other companies, reorganize or dissolve. Personal Data may be part of the transferred assets during any of these events. Consistent with this Privacy Policy, we may also share your Personal Data with our affiliates.
- c) *Agents and Service Providers* - Like many businesses, tFOSE shares personal information with agents, third party suppliers and other service providers who perform work on our behalf. We may also share statistical data with our business partners or third party suppliers.
- d) *Anonymized Aggregated Data* - As described above, we aggregate and anonymize data and use and disclose such information for a variety of purposes. However, in these situations, we do not disclose any information that could be used to identify you personally.
- e) *Law and Harm; Jurisdictions* - We may preserve or disclose your information if we believe that it is reasonably necessary to comply with a law, regulation or legal request; to protect the safety of any person; to address fraud, security or technical issues or a breach of our Terms of Use; or to protect our or any other person's rights or property. However, nothing in this Privacy Policy is intended to limit any legal defenses or objections that you may have to a third party's, including a government's, request to disclose your information.

## **CHOICES REGARDING YOUR INFORMATION**

- a) *Marketing Communications*. If you do not wish to receive promotional emails, you can click the “unsubscribe” button on promotional email communications. Note that you are not permitted to unsubscribe or opt-out of non-promotional messages regarding your account, such as account verification, change or updates to features of the Website, or technical and security notices.
- b) *Data Retention*: We will retain your information for as long as your account is active or as needed to provide you with the Services. Following termination or deactivation of your account, we may retain information for a commercially reasonable time for backup, archival, and/or audit purposes. We may retain your information in aggregate or anonymized form indefinitely. Please submit a support request if you wish to delete your account. We may retain posts you made on our Service indefinitely even after you cease to use the Website.

### ***What is not included in this Privacy Policy?***

This Privacy Policy does not apply to information posted to any public areas of the Website. tFOSE assumes that all information posted to any public areas of the Website is non-confidential and that we are free to reproduce, disclose and distribute it without limitation or attribution.

tFOSE may contain links to third party sites not controlled or operated by Toronto Futures Options Swaps Exchange Inc. (the "**Third Party Sites**"). The policies and procedures described in this Privacy Policy do not apply to the Third Party Sites.

### ***Is my Personal Data secure?***

We take the security of your Personal Data and other information very seriously and take reasonable steps to protect this data from loss, unauthorized access or misuse. However, no Internet, email or electronic transmission is ever completely secure. Therefore, while we strive to protect your Personal Data, we cannot guarantee its absolute security.

### ***What if tFOSE Group Holding Inc. needs to update this policy?***

We reserve the right to modify this Policy from time to time. If we make any changes to this Policy, we will change the "Last Revision" date above and will post the updated Policy on this page.

### ***Control over Personal Data***

Upon request, you shall be informed of the existence, use, and disclosure of your Personal Data and shall be given access to it. You can challenge the accuracy and completeness of the Personal Data and have it amended as appropriate. To do so, please submit a request to our customer service email at [support@tfose.com](mailto:support@tfose.com). Once we receive your request, we will take reasonable steps to update your Personal Data.