

GILDED CUSTOMER PRIVACY POLICY

This privacy policy, (this “Policy”), applies to the Processing of personal data by Gilded (USA) LLC, Digital Swiss Gold (USA) LLC, Digital Swiss Gold (Jersey) Limited, Gilded Switzerland AG, Gilded DMCC, and Digital Swiss Gold India Private LTD (our related entities are collectively referred to as “Gilded,” the “Company,” “we,” “us” or “our” in this Policy) in connection with the use of our products, services or applications, and visitors or users of our website and customer portal (together the “Services”). This Policy describes the types of information we collect from current and prospective clients (both natural persons, and where legally required, corporate entities), and corporate clients’ representatives (such as beneficial owners, directors, and other office holders) (“you”), how we use, share, and store that information, how you can manage the information we have about you, and how you can contact us. It explains how and why your personal data will be used, namely for the purposes of the provision of the Services, and for how long it will usually be retained.

Please note that our Services are not intended for use by minors under the age of 18, and we do not knowingly collect personal data from such minors. If we become aware that we have such data in our possession or control, we will take reasonable steps to delete it from our systems.

To use the Services, you must affirmatively accept the terms of this Policy, Terms of Service and Terms of Use. By accessing our website and signing the Terms of Service, you consent to our collection, use, disclosure, and retention of your information as described in this Policy.

IF YOU DO NOT AGREE WITH ANY PART OF THIS NOTICE OR OUR TERMS OF SERVICE AND TERMS OF USE, YOU ARE NOT PERMITTED TO USE THE SERVICES.

You can go straight to specific sections of this Policy by clicking on the headings shown immediately below.

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1 [Important Information and Who We Are](#)

1.1 [Purpose of This Privacy Notice](#)

As part of the Services, we Process personal data for some or all of the following: purchasing, storing, sending, delivering, lending, financing and selling gold, and other services that we might offer from time to time. The Services are designed for access across the Internet, using Gilded's applications and website.

This Policy provides you with information about how we collect and Process your personal data in connection with the Services.

It is important that you read this Policy, together with any other stand-alone privacy policy or fair Processing notice that we may provide on specific occasions when we collect or Process your personal data, in order that you are fully aware of how and why we use that data.

1.2 [Controller](#)

"Personal data" is any data that relates to you, or from which you can be identified, directly or indirectly. It does not include data that cannot, or can no longer, identify a natural person (anonymous data). It can be factual, such as a name, email address, location or date of birth, or an opinion about a person's actions or behavior.

The entity that determines the purpose for which your data is Processed and how it is Processed is called the data controller.

Gilded is a brand and trading name that is used in this Policy to refer to the overall business operated by a number of related entities. At various times, some or all of the related entities may act as a data controller and be responsible for your personal data.

"Processing" includes any operation or set of operations performed on personal data (e.g., collecting, recording, organizing, structuring, storing, adapting, altering, retrieving, consulting, using, disclosing by transmission, disseminating or otherwise making available, aligning or combining, restricting, erasing and destroying).

We respect your privacy and we are committed to protecting your personal data. This Policy will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

If you have any data protection questions, including any requests to exercise your legal rights, please contact us using the details set out below.

1.3 Contact Details

If you have any questions about this Policy or our privacy practices, please contact our Data Protection Officer at privacy@gildedco.com.

1.4 Changes to This Privacy Notice

We may make changes to this Policy from time to time, which will be posted to the website, we will indicate when we “last updated” this Policy. If we make any material changes to this Policy in the future, we may notify you of the change by email.

2 The Data We May Collect About You

2.1 We may collect, use, store and transfer different kinds of personal data about you which include examples that we have grouped together as follows:

Identifying information: name(s), preferred name(s), date of birth, age, profile information you create such as usernames and passwords, and sub-account number(s).

Contact information: postal address, telephone number, email address.

Due diligence information: personal data contained within corporate client structure details, incorporation papers and other formation documents, source of funds and wealth information, proof of identity and address documents, details and documents regarding officers and authorized personnel, signatories, owners, and governance and other organizational information.

Financial information: bank details.

Services information: personal data contained within information relating to the administration of the Services, such as gold purchases, sales, storage and transfers.

Usage information: information related to your use of our systems and services including: location data, preferences information, details of your use of the Gilded Services (and any additional applications we may develop), your visits to the Gilded Services and website (and any additional websites we may develop) including but not limited to traffic data, cookies (discussed more fully below) and other communication data and the resources that you access.

Device and content information: information related to the type of computer, tablet, mobile phone or other device that you use (and unique device identifiers such as your IP address and the mobile phone number, network and operating system used by the device), and content information stored on your device related to our service including

login information, photos, videos or other digital content and information related to promotions.

Marketing and communications information: your preferences in receiving marketing from us and our third parties and your communication preferences.

Special category data: criminal records data.

2.2 Special category data

As part of the data collected and stored, we may also use “special categories” of more sensitive personal data. For the purposes of the Services, this is data relating to a natural person’s criminal record or alleged criminal activity. Special category data requires higher levels of protection.

We may Process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are unable to provide consent, or where you have already made the information public.

We do not need your consent if we use special category data in accordance with our written policy to carry out our legal obligations. In limited circumstances, we may approach you for your written consent to allow us to Process certain particularly sensitive data. If we do so, we will provide you with full details of the data that we would like to Process and the reason we need it, so that you can carefully consider whether you wish to provide consent.

2.3 Automated decision-making

Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. We are allowed to use automated decision-making in limited circumstances. If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights. You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you. We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

2.4 Cookies

For more information about the personal data collected via cookies, please see the section below headed 'How Your Personal Data is Collected' and our [cookie policy](#).

2.5 If You Fail to Provide or Update Personal Data

We require certain information to provide the Services. If you do not provide the data necessary to use the Services, or if you adjust your preferences in such a manner that results in your not providing such necessary information, we may be unable to complete or continue to provide the Services to you.

3 How Your Personal Data is Collected

3.1 Direct collection: general

Typically, we collect data from you directly. For example, we collect your data when you access the Gilded Services, become a customer and create your account, place a gold order (or potentially other products or services), make contact with us (including making a complaint), enter a promotion or referral program, complete a survey we send to you, provide a product or service review, register to receive information about our promotions/competitions, products, services and offers.

3.2 Direct collection: cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of Gilded's websites may become inaccessible or not function properly.

For more information about the cookies we use, please see our [cookie policy](#).

3.3 Collection By Third Parties: General

We may collect your data (e.g., identifying information and special category data) from vendors contracted to provide support services related to payments, identity verification, customer due diligence (KYC), anti-money laundering (AML), fraud detection and other similar services. These vendors have their own terms and conditions, privacy policies and cookie policies. Where they act as a controller of your data, they may contact you directly to advise you separately regarding their data Processing practices. Please contact us for further information regarding our data-Processing or data-controlling vendors.

Third-party platforms linked within the Gilded applications and on our website are not covered by this Policy. The Gilded applications and website may include links to third-party websites or other platforms, plug-ins and applications. These are not covered by this Policy. Clicking on such links or enabling such connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not

responsible for their privacy statements. When you leave our websites or applications, we encourage you to read the privacy policy of every website you visit.

3.4 Collection By Third Parties: Cookies

When you visit the Gilded Services you may notice some content that is not related to us. If you visit a page that contains content embedded by the third-party platforms referenced above, you may be sent cookies from these organizations. We do not control these cookies.

If you share our content with friends through social networks such as Facebook, Instagram, LinkedIn and Twitter, you may be sent cookies from those platforms. We do not control the setting of these cookies and suggest you check any third-party websites for more information about their cookies and how to manage them.

For more information about the cookies we use, please see our [cookie policy](#).

4 How We Use Your Personal Data

4.1 Overview

We only use your personal data in accordance with applicable law. Most commonly, we use your personal data in the following circumstances:

- Where it is necessary for compliance with a legal obligation to which we are subject. For example, to conduct “customer due diligence (KYC), anti-money laundering (AML) checks.
- Where it is necessary for us to perform the contract to which you are a party or for taking pre-contract steps at your request, including as needed for us to provide the Services to you.
- Where you consent to the Processing for specific purposes.
- Where it is necessary for our legitimate interests (or those of a third-party), and your interests and fundamental rights do not override those interests. For example, to obtain feedback on our Services, to better understand you as a customer, to operate a promotion or referral program designed to reward existing customers and bring in new customers, to operate promotions/competitions, to notify you regarding our products, services, offers and news.

4.2 Legitimate Interests

We have a legitimate business interest (and in some cases a legal obligation) to Process personal data to better know our customers. We may combine the data we collect directly from you (from your interactions with Gilded) with data that we obtain from third parties. Additional legitimate business interests may include providing products and services that

are most relevant to our customers' interests, keeping customers informed about new products and services, and ensuring that the information we send to customers, whether via email, text message (SMS), WhatsApp, other electronic means, posted mail, phone or otherwise, is relevant to their interests. You should update your privacy preferences to opt-out of profiling and personalized direct marketing. You are able to opt out and update your personal data at any time by contacting us at privacy@gildedco.com.

4.3 Consent

You have the right to withdraw your consent at any time when we rely upon your consent as a legal basis for Processing your personal data. Withdrawing your consent does not affect the lawfulness of our Processing your personal data prior to your withdrawing consent. You may withdraw your consent by contacting us at privacy@gildedco.com.

4.4 Purposes For Which We Will Use Your Personal Data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and on which legal basis we do so.

Note that we may Process your personal data for more than one lawful ground depending on the specific purpose we are using your data. Please contact us if you need details about the specific legal ground(s) we rely on to Process your personal data where more than one ground is provided below.

Purpose/Activity	Type of data	Lawful basis for processing
Background checks	Identifying information, Contact information, Due Diligence information	Legal obligation
General client on-boarding	Identifying information, Contact information, Due Diligence information, Special category data	Legal obligation, Contract, Consent

Purpose/Activity	Type of data	Lawful basis for processing
Record-keeping relating to the Services	Identifying information, Contact information, Due Diligence information, Financial information	Legal obligation, Contract, Consent
Ongoing operation of the Services, to include supporting you in your use of the Services, diagnosing and resolving problems, notifying you about changes to our terms or privacy policy and to invite you to participate in customer surveys	Identifying information, Contact information, Financial information, Usage Information, Device and Content information, Marketing and Communications information	Contract, Legal obligation, Legitimate interests
Our risk management and risk-controlling practices	Identifying information, Contact information, Due Diligence information	Legal obligation, Contract, Legitimate interests
Prevention, detection and investigation of (potential) fraud and/or other criminal activity	Identifying information, Contact information, Due Diligence information, Usage information, Device and Content information	Legal obligation, Legitimate interests

Purpose/Activity	Type of data	Lawful basis for processing
Investigation of and response to complaints about us, and to help maintain service quality and train staff to deal with complaints and disputes	Identifying information, Contact information, Services information	Legitimate interests
To administer and protect our business, websites and apps (to include troubleshooting, data analytics, testing system maintenance, support, reporting and hosting of data)	Identifying information, Contact information, Usage information, Device and Content information	Legitimate interests
To enable you to participate in a promotion, competition or prize draw	Identifying information, Contact information, Services information, Usage information, Device and Content information, Marketing and Communications information	Legitimate interests
To make suggestions and recommendations to you about goods or services that may be of interest to you	Identifying information, Contact information, Services information, Usage information, Device and Content information, Marketing	Legitimate interests

Purpose/Activity	Type of data	Lawful basis for processing
	and Communications information	
To deliver relevant website content and advertisements to you and measure and understand the effectiveness of the advertising we serve to you	Identifying information, Contact information, Usage Information, Device and Content information, Marketing and Communications information	Legitimate interests
To engage with and utilize third-party service providers as needed to provide the Services to you, and to operate and comply with our legal obligations, including lawyers, administrators, consulting firms and accountants.	Identifying Information, Contact Information and Usage Information	Contract, Legal obligation, Legitimate interests

4.5 Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

As summarized above, we may use your personal data to determine what products or services you may want or need or that may be of interest to you. You may receive marketing communications from us if you have requested information from us or purchased Services and you have not opted out of receiving that marketing.

We will obtain your express opt-in consent before we share your personal data with any third-party data controllers for marketing purposes.

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you, or by contacting us or them at any time.

4.6 Change of Purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your personal data for an unrelated purpose, we will notify you, and we will explain the legal basis that allows us to do so.

Please note that we may Process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5 Disclosures of Your Personal Data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4.4 above.

5.1 Third Parties

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to Process your personal data for specified purposes and in accordance with our instructions.

6 International Transfers

We share your personal data with our related entities. In certain circumstance, this will involve transferring your data to territories that have been deemed to provide an adequate level of protection for personal data (e.g., Jersey, Switzerland and the United Kingdom).

Certain of our Affiliates and External Third Parties are based in countries not covered by a European Commission “adequacy” decision (e.g., the United States of America, the Abu Dhabi Global Market, and India). Whenever we transfer your personal data to these Affiliates and external parties, we ensure that a similar degree of protection is afforded to your personal data and always endeavor to implement and apply appropriate safeguards for the transfer and onward Processing. In addition to an assessment of the relevant risks in connection with the proposed transfer, one of the following lawful mechanisms will be implemented: standard contractual clauses, approved certification mechanisms, or approved codes of conduct.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data.

7 Data Security

We have instituted appropriate information security measures to protect your personal data from accidental loss, use or access and unauthorized alteration or disclosure. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know (“Authorized Parties). The Authorized Parties will only Process your personal data on our instructions, and they are subject to a duty of confidentiality.

8 Data Retention

As part of the Gilded Services, Gilded Processes certain personal data in a blockchain data record. This means that such personal data is stored in an immutable blockchain as part of a database called a distributed ledger. Anything stored in a ledger as part of the blockchain may not be changed or deleted. We use pseudonymization to reduce the risk to individuals whose personal data is Processed in the blockchain. Please carefully review how the use of blockchain with Gilded Services may limit the exercise of certain of your rights regarding personal data in the “Your Legal Rights” section below

8.1 For How Long Will You Use My Personal Data?

We will only retain your personal data for as long as necessary to fulfill the purposes for which we collected it, including for the purposes of satisfying any legal, regulatory, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we Process your personal data, whether we can achieve those purposes through other means, and applicable legal requirements. Generally, our retention period is seven (7) years after the year in which the data was originally received, unless we are required by law or regulation to retain the data for longer periods.

After this period, we will securely destroy your personal information in accordance with our data retention policy. In some circumstances, we may anonymize your data so that it can no longer be associated with you, in which case we may use such information without further notice to you. In some circumstances you can ask us to delete your data (as described more fully below).

9 Your Legal Rights

You may have rights in relation to your personal data under applicable data protection laws in force in certain jurisdictions. The rights may include:

- Request access to your personal data
- Request correction of your personal data
- Request erasure of your personal data
- Object to Processing of your personal data
- Request restriction of Processing your personal data
- Request transfer of your personal data
- Right to withdraw consent

Gilded Services may use blockchain technology to store certain personal data, including the account name assigned by Gilded, grams purchased, owned or sold, price, trading volume, account activity, purchases and sales involving the account, account assets and other information that may be used to directly or indirectly identify you. We use pseudonymization in our blockchain records to reduce the risk to individuals whose personal data is Processed in the blockchain. Only Gilded and certain third-party service providers who need to Process such personal data in connection with the performance of the Services can re-identify you through that information. As a result, the way we respond to a request to exercise certain of your rights (i.e., access, correction and deletion requests) will be limited. We cannot alter information stored in a blockchain, but, unless we have a legitimate interest or other valid legal basis in Processing your personal data, if you request erasure, object to the Processing of your personal data, or request that the Processing of your personal data be limited by Gilded, we will not include your personal data in Gilded Service records that are added to the blockchain subsequent to such request. We may not be able to provide you Gilded Services if you request that your personal data be deleted or you object to further Processing of your personal data.

If you request that any such personal data be corrected when we validate the information as being correct, we will correct our records, including by creating a new record entry in the blockchain if appropriate. Additionally, although we cannot erase your personal data in Gilded Services records that have been added to the blockchain, we can, when appropriate (i.e., you no longer use the Gilded Services), erase the mapping in the Gilded records and/or our service provider records pertaining to you, outside the blockchain in a manner that would render the pseudonymized data in the blockchain to be de-identified (anonymized).

If you wish to exercise any of the rights set out above, please contact us at privacy@gildedco.com.

9.1 No Fee Usually Required

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

9.2 What We May Need From You

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who does not have the right to receive it.

9.3 Time Limit To Respond

We try to respond to all legitimate requests within four weeks. Occasionally, it may take us longer than four weeks if your request is particularly complex or you have made multiple requests. In this case, we will notify you and keep you updated on the status of your request(s).