

# **PRIVACY POLICY**

Last updated: April 29, 2022

Please carefully read this Privacy Policy ("**Policy**"), which governs how Blockchain Digital Capital Ltd., a company registered in accordance with legislation of St. Vincent and the Grenadines with its registered office at Suite 305, Griffith Corporate Centre, Kingstown, St. Vincent & the Grenadines ("**Company**", "**we**"), collects, uses and discloses information, when you access or use the website <https://bdcap.live> (collectively, the "**Website**"), purchase tokens, or when you otherwise interact with us.

## 1. **Applicability and Acceptance of Policy**

1.1. This Policy defines the Personal Data, explains how Personal Data is collected, used, processed, and disclosed.

1.2. This Policy shall come into effect at the moment you check the box "I Agree with terms of Privacy Policy". By accessing, browsing, using the Portal or check the box "I Agree with terms of Privacy Policy" you irrevocably and unconditionally accept and adhere to provisions of this Policy without any exemptions, limitations and/or exclusions.

1.3. In the event you disagree with any provision of this Policy or would not like to provide your consent for processing of your Personal Data, you shall cease using the Website.

## 2. **Information about the Data Controller**

2.1. The data controller of this Website is **Blockchain Digital Capital Ltd.**, a company registered in accordance with legislation of **St. Vincent and the Grenadines** with its registered office at **Suite 305, Griffith Corporate Centre, Kingstown, St. Vincent & the Grenadines**. Contact details: [info@blockchaincapital.pro](mailto:info@blockchaincapital.pro).

## 3. **Legal Grounds for Personal Data Processing**

3.1. We process your Personal Data on the basis that it is:

3.1.1. **necessary for the performance of a contract**, therefore, where we have a contract with you, we will process your Personal Data in order to fulfil that contract;

3.1.2. **authorized by your Consent**, which you give us as it is set out in section 4 hereof;

3.1.3. **necessary for compliance with our legal obligation**, in particular, when we are obliged to respond to a court order or a regulator;

3.1.4. **necessary for performance our legitimate interests**;

3.1.5. **permitted by applicable legislation**.

3.2. We Process the Personal Data for a number of legitimate interests, including to provide and improve the Website, administer our relationship with you and our business, for marketing, and in order to exercise our rights and responsibilities as specified in section 6 of the Agreement.

## 4. **Consent to Personal Data Processing**

### 4.1. **EU Persons Consent to Personal Data processing**

4.1.1. If you are an EU Person and to process your Personal Data we need to receive your consent, as it is prescribed by GDPR, we will process your Personal Data only in the case we have received from you a freely given, specific, informed and unambiguous indication of your wishes by which you signify agreement to the processing of your Personal Data ("**Consent**").

4.1.2. You may give your Consent by ticking a box when visiting the Website. In the case you tick the respective box, you irrevocably and unconditionally consent and agree that the Company shall be entitled to process your Personal Data as it is indicated by your Consent.

4.1.3. Your Consent covers all processing activities with your Personal Data carried out for the same purpose or purposes. When the Processing has multiple purposes, your Consent should be deemed given for all of them.

4.1.4. You have the right to withdraw your Consent at any time. You can submit such request by sending us an email to [info@blockchaincapital.pro](mailto:info@blockchaincapital.pro). Your withdrawal of Consent shall not affect the lawfulness of your Personal Data processing based on Consent before its withdrawal.

4.1.5. Except as required or enabled by law we will not use or disclose your Personal Data for any purpose for which you refuse Consent or later withdraw your Consent. If you withdraw Consent, you agree that in spite of this withdrawal, we may continue to use those Personal Data previously provided to us to the extent that we are contractually or otherwise legally obliged to do so and to the extent necessary to enforce any contractual obligation you may have towards the Company or in any other way permitted by law.

#### 4.2. **Non-EU Persons Consent to Personal Data processing**

4.2.1. If you are not an EU Person, by transferring to us your Personal Data via the Website or otherwise, you irrevocably and unconditionally consent and agree that the Company shall be entitled, in accordance with this Policy:

- To Process in any manner, including to collect, store, use, disclose, share and transfer (including cross-border), your Personal Data so provided to us, as well as your Personal Data collected from your use of the Website (i.e. your Personal Data which we collect automatically and/or from other sources); and
- to use cookies and web beacons (pixel tags) to collect your Personal Data and associate the Personal Data with your computer and web browser.

### 5. **Collection of Personal Data**

#### 5.1. **General Provisions**

5.1.1. The type of Personal Data we collect depends on how you are interacting with us. In many cases, you can choose whether or not to provide us with Personal Data, but if you choose not to, you may not get full functionality of the Website. When you visit the Website, you may provide us with the following types of Personal Data: *(i)* Personal Data that you voluntarily disclose that is collected on an individual basis; *(ii)* Personal Data collected automatically when you use the Website; and *(iii)* Personal Data which we collect from sources other than the Website.

5.1.2. The Website contains links to other third-party websites that may collect Personal Data about you, including through cookies or other technologies. If you use our links to visit another websites, Website s this Policy will not apply to your use of, and activity on those other websites. You should consult these other websites' privacy policies as we have no control over them and are not responsible for any information that is submitted to or collected by these third parties.

#### 5.2. **Personal Data You provide to Us**

5.2.1. In order to fulfill our obligations under the Terms of Use, We are entitled to ask you to provide us with your Personal Data, including (but not limited):

- Full name
- email address
- Phone number
- ID card details
- IP address
- location and billing address (such as country, state or province, city, and zip code)
- preferred language
- gender

Personal Data hereof is collected only when voluntarily offered, and solely for purposes that are clearly identified in the Website or in this Policy.

5.2.2. The Company may collect the Personal Data from you in a variety of ways and circumstances, including, but not limited to, creation of Account at the Website, subscription to a newsletter, response to a survey, filling out a form, providing us with feedback. The Company shall be entitled to combine Personal Data collected in the course of your interaction with different sections of the Website with any other relevant available information.

### 5.3. **Personal Data We Collect Automatically**

5.3.1. Personal Data collected by or transmitted to the Company in the course of accessing, interacting and operating of the Website may include, without limitation, the following Personal Data:

- device information, which may include (but is not limited to) information about the computer or mobile device you use to access the Website, including the hardware model, operating system and version, the web browser you use, and other device identifiers;
- location data. If we need your consent to collect geo-location data, we will collect this separately;
- demographic information, such as, your country, and preferred language;
- server log information, which may include (but is not limited to) your login details, the date and time of visits, the pages viewed, your IP address, time spent at the Website and the websites you visit just before and just after the Website;
- usage information. If you use the Website we will collect metadata about the files you upload for storage and we will record instances in which you have used your private key to authenticate communications;
- information collected by cookies and other tracking technologies. We and our Website providers use various technologies to collect information when you interact with the Website, including cookies and web beacons. 'Cookies' are small data files that are stored on your device when you visit a Website which enable us to collect information about your device identifiers, IP address, web browsers used to access the Website, pages or features viewed, time spent on pages, mobile app performance and links clicked. Web beacons are graphic images that are placed on a website or in an email that is used to monitor the behavior of the user visiting the website or sending the email. They are often used in combination with cookies. The Company's policy regarding the cookies is specified in Cookies Notice.

5.4. **Data We Collect from Other Sources.** We may also receive information about you from other sources, such as when you log in to Account by using your account credentials for a separate third-party service. We will receive information from that service as indicated in the relevant third party's authorization screen.

## **6. Use of Personal Data**

- 6.1. We use Personal Data for the following purposes.
- 6.1.1. set up and administer your User Account, provide technical and customer support and training, verify your identity, and send important account, information about tokens;
  - 6.1.2. administer our relationship with you, our business and our third-party providers (e.g., to send invoices);
  - 6.1.3. deliver and suggest tailored content such as news, research, reports and business information. We analyse the way you use our Website to make suggestions to you on the features of Website that we believe you will also be interested in, and so that we can make our Website more user-friendly;
  - 6.1.4. personalize your experience with our Website. We may retain your browsing and usage information to make your searches within our Website more relevant and use those insights to target advertising to you online on our Website;
  - 6.1.5. contact you in relation to, and conduct, surveys or polls you choose to take part in and to analyse the data collected for market research purposes;
  - 6.1.6. conduct internal research and development and to improve, test and enhance the features and functions of our Website;
  - 6.1.7. provide you with marketing materials as permitted by law;
  - 6.1.8. meet our internal and external audit requirements, including our information security obligations;
  - 6.1.9. exercise, protect and/or enforce our rights, privacy, safety, networks, systems and property, or those of other persons;
  - 6.1.10. prevent, detect or investigate a crime, fraud or other breach of law or requirement;
  - 6.1.11. prevent or detect any loss incurred by Company or third persons;
  - 6.1.12. comply with requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, including where they are outside your country of residence;
  - 6.1.13. defend Company from claims;
  - 6.1.14. comply with laws and regulations that apply to us or third parties with whom we work.
  - 6.1.15. Where we rely on legitimate interests as a lawful ground for Processing your Personal Data, we balance those interests against your interests, fundamental rights and freedoms. For more information on how this balancing exercise has been carried out, please contact us by sending an email to [info@blockchaincapital.pro](mailto:info@blockchaincapital.pro).

## **7. Disclosure of Personal Data**

- 7.1. The Company treats Personal Data as confidential and may not pass on or use any such data without valid legal grounds.
- 7.2. We will only disclose your Personal Data in the following circumstances:
- 7.2.1. with your Consent or at your instruction;
  - 7.2.2. with companies under common control or ownership with us or our offices internationally;
  - 7.2.3. for everyday business purposes, such as to process transactions, maintain accounts, respond to court orders and legal investigations;
  - 7.2.4. in connection with a merger or sale of our company assets, or if we do a financing or are involved in an acquisition, or any other situation where Personal Data may be disclosed or transferred as one of our business assets;

7.2.5. if we believe your actions are inconsistent with our terms of use of Website or applicable legislation, or to protect the rights, property and safety of any assets of the Company or third parties;

7.3. Please note that third parties that support our customer identification and anti-fraud controls may retain and use information about you to perform services on our behalf and to improve their services. By using our Website, you consent to the retention and use of such information by these service providers to improve their services.

7.4. The Company may without limitations share aggregated or de-identified information, which cannot reasonably be used to identify you.

## **8. Transmission of Personal Data**

8.1. The transmission of Personal Data or any other information (including communications by e-mail) over the Internet or other publicly accessible networks is not one hundred percent secure. The Company is not liable for the security of any Personal Data or any other information you are transmitting over the Internet, or third-party content.

8.2. Information about you may be transferred to, and processed in countries other than the country in which you are a resident. We have taken appropriate safeguards to require that your information will remain protected in accordance with this Privacy Policy.

8.3. Personal Data of EU Persons transmitted to a recipient outside the European Economic Area may be processed by a staff member operating outside the European Economic Area (EEA) who work for us or for one of Digital Content developer or copyright owner. Such staff may be engaged in amongst other things, the fulfilment of your order, the processing of your payment details and the provision of support services. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

## **9. Protection of Personal Data. Security Measures**

9.1. We take appropriate security, administrative and technical measures to protect any Personal Data you provide regarding the collection, storage and processing of Personal Data, as well as security measures to protect your Personal Data against unauthorized access, modification, disclosure or destruction.

9.2. Personal Data is safeguarded from unauthorised access and unlawful processing or disclosure, as well as accidental loss, modification or destruction, through state-of-the-art technical and organisational measures. These are adjusted and updated continuously in tandem with technical developments and organizational changes. Additionally, Personal Data protection audits and other controls are carried out on a regular basis. However, no computer security system is entirely fool proof and the Internet is not a secure method of transmitting information. As a result, we do not assume any responsibility for the Personal Data you submit to or receive from us through the Internet, or for any unauthorized access or use of that information, and we cannot and do not guarantee that information communicated by you to us or sent to you by us will be received, or that it will not be altered before or after its transmission to us. You agree to not hold the Company liable for any loss or damage of any sort incurred as a result of any misappropriation, interception, modification, deletion, destruction or use of information provided through the Website.

## **10. Retention of Information**

10.1. In accordance with applicable laws and as needed to fulfill our obligations, we may hold your Personal Data. This requirement is conditioned by a need to comply with legal obligations and resolve possible disputes.

10.2. The Company may retain your Personal Data until your Consent is not withdrawn or Terms of Use is terminated.

## 11. Your Rights in relation to Personal Data

11.1. The Company is committed to making sure you can exercise your respective rights effectively and free of charge. The Company will ensure each your request related to your Personal Data be reviewed in a timely fashion.

11.2. You have the following rights relating to your Personal Data in accordance with any applicable laws, including GDPR:

11.2.1. **right to access.** You can request access to your Personal Data and obtain a copy of such Personal Data in a format acceptable to you (e.g. PDF, DOC, DOCX, etc.). You can submit such request by sending an email to [info@blockchaincapital.pro](mailto:info@blockchaincapital.pro). After your request is received, our privacy team reviews the form and conducts requestor's identity verification, without undue delay. Upon successful verification, you are provided with a copy of your Personal Data

11.2.2. **right to data portability.** You have the right to receive your Personal Data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another service provider (controller) without hindrance from us

11.2.3. **right to erasure ("Right to be forgotten") and right to rectification.** You are entitled to request erasure or rectification of your Personal Data by sending us a respective request to [info@blockchaincapital.pro](mailto:info@blockchaincapital.pro). We will handle requests for Personal Data to be rectified or deleted, unless there is a legal requirement that prohibits such request to be fulfilled. When request is fulfilled, you will be informed that your Personal Data is changed or erased and is not-longer collected, however, to fulfil our legal requirements the Company will store information about each requestor for the purposes of providing an evidence that a request has been fulfilled

11.2.4. **right to object.** At all times, you are entitled to object to Processing of your Personal Data. Right to object can be exercised by sending an email to [info@blockchaincapital.pro](mailto:info@blockchaincapital.pro). Upon receipt of the request, the Company ceases the Processing, unless there is a legal or statutory ground for such Processing

11.2.5. **right to be informed.** If you are inquiring about Processing activities conducted with respect to your Personal Data, the Company, without undue delay, will provide information about: **(i)** purposes of Processing; **(ii)** categories and types of Personal Data; **(iii)** the recipients or categories of recipients to whom the personal data have been or will be disclosed to, in particular recipients in third party countries or international organizations **(iii)** retention period; **(v)** source of the relevant Personal Data; **(vi)** privacy rights and information on data portability; **(vii)** where the personal data are not collected from the data subject, any available information as to their source; **(viii)** the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject; **(ix)** information as to whether personal data are transferred to a third country or to an international organization. Where this is the case, the data in subject to, shall have the right to be informed

of the appropriate safeguards relating to the transfer. However, all information about the categories of Personal Data and Processing operational conducted by Company is available in this Policy; and

11.2.6. **the right to lodge a complaint with a supervisory authority.** Supervisory authority means an independent public authority, for example, which is established by an EU member state pursuant to Article 51 GDPR or any other applicable law.

## **12. Children`s Privacy**

12.1. The minimum age to use the Website is 18 years. The Company will not knowingly collect Personal Data from children under this age. Insofar as certain countries apply a higher age of consent for the collection of Personal Data, the Company requires parental consent before Personal Data associated with such child is collected. The Company encourages parents to instruct their children to never give out personal information when online.

## **13. Alterations to Policy**

13.1. We have the right, at our discretion, to update this Policy at any time. We recommend that you frequently check this Policy to find any changes and stay informed about how we help protect the Personal Data.

13.2. By using the Website, you will acknowledge and agree that it is your responsibility to periodically review this Policy and be aware of the changes.

13.3. The subsequent use of the Website after changes to this Policy will also be considered as your acceptance of these changes.

13.4. This Policy may from time to time be translated into other languages. To the extent that any discrepancy may exist between the English version of this Policy and its version in another language, the English version prevails.

## **14. Data Protection Officer**

14.1. The Company appoints an expert on data privacy who works independently to ensure that the Company is adhering to the policies and procedures set forth in the GDPR (data protection officer). Data protection officer assists the Company to monitor internal compliance, inform and advise on data protection obligations, provide advice regarding data protection impact assessments (DPIAs) and act as a contact point for data subjects and the supervisory authorities.

## **15. Feedback**

15.1. We welcome your questions and suggestions with respect to the implementation or amendment of this Policy. Please use this feedback for communicating with us: [info@blockchaincapital.pro](mailto:info@blockchaincapital.pro).