

BNGX.com Privacy Policy

Version 1

Last Updated 6th March 2024

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1 **Welcome to BNGX**

- 1.1 We are Biodiversity Exchange Limited (**BNGX, we, our or us**) and we operate the website www.bngx.com which is used as an online platform to facilitate the sale and purchase of biodiversity units between land developers and landowners (**Exchange**). Our address of business is C/O BDO LLP Two Snowhill, 7th Floor, Birmingham, United Kingdom, B4 6GA.
- 1.2 This privacy policy (**Policy**) outlines the types of data we collect when you use our Exchange, the purposes they serve and how your personal data is protected.
- 1.3 This Policy, along with the following additional policies, are the rules governing your rights and obligations on the Exchange:

- Terms of Use;

□ Cookies Policy; and

□ Seller Policy (for Exchange sellers only)

(together, the **Policies**).

2 How We Use Our Policy

2.1 This Policy outlines the types of data we collect through the use of our Exchange, including any data you may provide when you register for an account or purchase a product. By continuing to browse our Exchange, you are consenting to the terms of this Policy. We are dedicated to keeping you informed when it comes to your online privacy and focus on promoting transparency between you and us and upholding compliance in respect of privacy laws.

2.2 This Policy pertains to all users engaging with the Exchange, and Application Programming Interfaces (**APIs**) provided by the Exchange. The inclusion extends to, but is not limited to, interactions with our Exchange and with third-party service providers, for example Stripe Payments UK Limited APIs who are the authorised third-party electronic money institution who process the payments made on our Exchange.

2.3 In addition to this Policy, users are advised to review and be aware of several other applicable terms that govern their use of our Exchange, including our Cookies Policy, Terms of Use, relevant API terms, and the Seller Policy for Exchange sellers.

3 What Information We Collect & Receive

By engaging with and using the Exchange, you consent to us collecting, receiving, storing and transferring the following information:

Information Category	Description of Information Collected
Personal Identification Information	This may include names, email addresses, company affiliations and phone numbers which are used to facilitate user engagement, account management and communication.

Demographic Information	This may include user location, which is used to enhance user experience and tailor services to specific geographic preferences with user consent.
Product Details	This may include details about the biodiversity products being marketed on our Exchange, including metric file information, gain site details and details which are collected to accurately represent and manage transactions and interactions within the Exchange.
Transaction Data	This may include details about payments to and from you and other details of Biodiversity Units you have purchased using our Exchange as well as any payment information which is transferred directly to Stripe.
Technical Data	This may include IP addresses, browser types and operating system to facilitate the seamless and secure operation of our Exchange and enhance user security.
Usage Data	This may include pages visited and links clicked in order to analyse user engagement patterns and improve the overall user experience, with user consent.
Marketing and Communications Preferences	This may include frequency or method of communications which are sought from you which control the frequency and nature of communications you receive from us.
Third-Party Data	This information is collected from external sources or third parties and used strictly for disclosed purposes.
Aggregated Data	This may include statistical or demographic data but is not considered personal data as it does not reveal individual identities and is used for analytical purposes, Exchange improvement and industry insights.

4 How We Collect Your Information

We use various methods to collect data from and about you which includes through:

- *your interactions with us*: you may provide us with personal data by filling out information on our Exchange or corresponding with us. This includes personal data you provide when you create an account on our Exchange, purchase products, give us feedback or contact us.
- *automated technologies or interactions*: through your interaction with our Exchange, we will automatically collect Technical Data about your browsing actions and patterns. We collect this personal data by using cookies and other similar technologies, further information of which is available in our Cookie Policy.
- *third parties or publicly available information*: we will receive personal data about you from a variety of third parties and public sources of information.

5 How We Use Your Information & Our Legal Basis

5.1 Our information practices are embedded in transparency and legal compliance. Information is utilised to facilitate secure transactions, enhance user experience, and meet legal obligations. We prioritise your privacy, ensuring data use aligns with the Exchange's commitment to transparency and legal standards, particularly concerning biodiversity-related products. To the extent required by applicable law, we rely on a number of legal bases to use your information in the ways set out in this Policy.

Necessary for contractual performance with you

5.2 We use certain information that is necessary for us to provide you with the services and perform our Terms of Use and any other relevant contracts with you. We will be required to close your account if we cannot process your personal information for such purposes.

Legitimate Interests

5.3 We may use your personal data where it is necessary to conduct our business and pursue our legitimate interests, for example to prevent fraud and enable us to give you the most secure experience on our Exchange. We will ensure to consider and balance any potential impact on you and your rights before we process your data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you, unless we have your consent or are required to do so by law.

Improvement of Services

- 5.4** Your data is utilised to deliver, personalise, and continuously improve our services. This includes tailoring content, features, and functionalities to enhance your overall experience on our Exchange.

Support and Communication

- 5.5** We process information to provide customer support, address queries, and facilitate communication with our users. This ensures a seamless and responsive interaction between you and our Exchange.

Regulatory & Environmental Bodies

- 5.6** We may, in cases where it is relevant, share data with regulatory authorities and environmental organisations to comply with legal obligations and contribute to environmental initiatives, fostering accountability and transparency.

Marketing & Promotions

- 5.7** We employ data for targeted advertising, promotions, and marketing activities. This allows us to share relevant content, offers, and updates, enhancing user engagement while respecting your preferences and choices.

Security

- 5.8** Data is utilised to maintain the security of our Exchange. This includes monitoring, detecting, and preventing security threats, ensuring the confidentiality and integrity of user information.

Legal Compliance and Basis

- 5.9** We process data to fulfil legal requirements, ensuring compliance with applicable laws and regulations. Our services and Exchange are subject to laws and regulations that require us to collect, use and store your personal information in certain ways. This may involve responding to legal requests, investigations, or exercising legal rights and remedies.
- 5.10** Our usage of data is grounded in various legal bases, including user consent, contractual necessity, legal obligations, and legitimate interests.

6 How We Share Your Information

- 6.1** We may share your data with third parties where necessary to perform the services on our Exchange, comply with our legal obligations or for the purposes set out in this Policy, including:

Information Sharing Practices

- 6.2 Our commitment to transparency guides our information sharing practices. Sellers agree to disclose details related to the biodiversity-related products listed on our Exchange, including metrics and gain site commitments.

Service Providers and Partners

- 6.3 We may share your information with trusted service providers and partners who assist in providing and enhancing our services. These entities have limited access to your information, adhere to strict confidentiality and data security standards to ensure the protection of your information, and may only use your information to help us operate, provide and advertise the Exchange and our services in accordance with our instructions to them.

Business Transfers

- 6.4 In the event of certain business transfers which includes mergers, acquisitions and other relevant transfers, your information may be transferred as part of the business assets to ensure continuity of service and maintain a seamless user experience.

Legal Obligations

- 6.5 We may disclose information in response to requests by the courts of a competent jurisdiction, or as a result of other regulatory requirements, including situations where disclosure is necessary to comply with applicable laws or regulations, safeguard the rights, privacy, and security of our users.

User Consent

- 6.6 In circumstances not covered by 6.5 above, we share information only with your consent, allowing you control over the sharing of their information, respecting individual choices and preferences.

Group Companies

- 6.7 We may share some of the information that we collect, with our corporate affiliates or group companies that help us conduct business. The information we share with our group companies will only be used to provide you with the service and for any other purpose we have described in this Policy.

7 How We Transfer Your Information

- 7.1 In certain instances, your information may be transferred across international borders as part of our operations. This includes scenarios where our service providers, partners, or servers are located in different countries. You will be informed of such transfers, ensuring transparency regarding the global movement of your data.
- 7.2 To safeguard your information during international transfers, we implement protective measures consistent with data protection standards. These measures may include the use of encryption, contractual agreements with data processors, or reliance on internationally recognised frameworks that ensure an adequate level of protection for your data.
- 7.3 We are committed to compliance with international data protection laws governing cross-border data transfers. This commitment extends to adhering to applicable frameworks, regulations, and mechanisms that ensure the lawful and secure transfer of user information across borders.

8 How We Use Cookies & Other Tracking Technologies

Our use of cookies and other tracking technologies is governed by our Cookies Policy. We are committed to transparency in our data practices, and you can find detailed information about the types of cookies used, their purposes, and your control options in our Cookies Policy. Please take a moment to review our Cookies Policy. Your continued use of our site indicates your acceptance of the terms outlined in our Cookies Policy.

9 How We Use Third-Party Links & Services

- 9.1 Our Exchange may integrate and use third-party services, such as Stripe, to enhance your experience and provide additional functionalities. These third parties may have their own privacy policies and terms of service, and we encourage you to review them to understand how they collect, use, and handle your information. Integration with third-party services is designed to enrich your interaction with our platform, and the privacy and security of your data remain a priority in these collaborations.
- 9.2 You have the option to choose whether to engage with third-party products and services integrated into our platform. Your decision to interact with these third-party services is voluntary, and you can exercise control over your engagement with them. We respect your choice and provide clear pathways for you to opt-in or opt-out of interactions with third-party links and services.

10 How We Protect Your Information

We prioritise the security of your information by implementing robust security measures including encryption, access controls, and other industry-standard protocols. These measures are designed to safeguard your data from unauthorised access, disclosure, alteration, and destruction, ensuring the confidentiality and integrity of your information. Measures involve:

- *regular security audits*: including periodic reviews and security audits to evaluate and enhance our Exchange's security. These assessments identify potential vulnerabilities, address emerging threats, and ensure that our security measures align with evolving industry standards and best practices.
- *employee training*: whereby our commitment to data security extends to the provision of comprehensive data protection training for our employees. This training ensures a collective commitment to upholding the highest standards of data privacy and security of your information.
- *incident response plans*: where, in the event of a potential data breach, we have established incident response plans which outline procedures for promptly detecting, responding to, and mitigating the impact of security incidents. Our response is aimed at minimising potential harm, resolving issues promptly, and maintaining the trust and confidence of our users.

11 How Long We Store Your Information

11.1 We only store your information for the duration necessary to fulfil its intended purpose. The determination of the retention period is based on the necessity of processing the information for the services provided and other legitimate business purposes. Most of our retention periods are determined on the basis of this general rule.

11.2 The specific timeframes for retaining various data types are established by taking into consideration our legal requirements, contractual obligations, and user consent. These retention periods are outlined below and are periodically reviewed to ensure continued relevance and compliance.

Purpose of Processing	Retention Period
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Information which is used to provide you with our services	Retained for the lifetime of your account with us.
Information which is used for regulatory and legal compliance and obligations	Retained to extent necessary to comply with our legal obligations.
Information which is used for other legitimate purposes	Retained for other legitimate purposes such as investigating potential violations for our policies or Terms of Use, promoting safety, security and integrity and protect us and our rights, property or the Exchange.

11.3 Upon expiration of the data retention period, we employ secure methods for data handling, which may include deletion or anonymisation. This ensures that data no longer needed for its original purpose is responsibly managed, reducing the risk of unnecessary exposure and aligning with privacy principles.

12 How We Use Automated Decision-Making

We are committed to transparency in our data practices. At present, our Exchange does not utilise automated decision-making processes. If automated decisions are employed, we will provide clear information on the methods and criteria used in such processes.

13 How We Anonymise & Aggregate Data

13.1 Data collected via our services may be anonymised, where applicable, and aggregated for statistical analysis or other lawful purposes. This may include collaboration with research institutions and environmental agencies if applicable.

13.2 We assure you that, where applicable, once data is anonymised, it cannot be used to identify an individual. Our commitment to privacy ensures that aggregated data remains devoid of your personally identifiable information.

14 Your Rights & Choices

14.1 Certain privacy laws (which includes the General Data Protection Regulation) provide users with rights and choices related to their personal information. In consistency with those laws, we give you the choice of accessing, editing, or removing certain information as well as

choices about our communications with you. Subject to applicable law, you may have some rights with respect to your personal information such as:

Right	What you can do
Right to be informed	<p>You have the right to be informed about the collection and use of your personal data, as detailed in this Policy and by contacting us at gdpr@bngx.com.</p> <p>You can access and update your personal information through your Account settings when logged into your account on our Exchange.</p>
Right to access	<p>You have the right to access and receive a copy of your personal data and supplementary information by contacting us at gdpr@bngx.com.</p>
Right to portability	<p>You have the right to data portability, which allows individuals to obtain and reuse their personal data for their own purposes across different services by contacting us at gdpr@bngx.com.</p>
Right to rectification	<p>You have the right to have inaccurate personal data rectified, or completed if it is incomplete by reference to your Account settings or by contacting us at gdpr@bngx.com.</p>
Right to restrict processing	<p>You have the right to request the restriction or suppression of your personal data by contacting us at gdpr@bngx.com.</p>
Right to deletion/erasure	<p>You have the right to have personal data erased by contacting us at gdpr@bngx.com.</p>
Right to object	<p>You have the right to object to the processing of your personal data in certain circumstances by contacting us at gdpr@bngx.com.</p>
Right relating to automated	<p>You have rights in relation to automated decision-making (making a decision solely by automated means without</p>

decision making	any human involvement) and profiling (automated processing of personal data to evaluate certain things about an individual), this could be part of the automated decision-making process.
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14.2 As part of your rights afforded under the UK GDPR, you are entitled to file a complaint with the Information Commissioner's Office (**ICO**) if you believe that your data protection rights have been violated.

15 Your Responsibilities

15.1 We emphasise the importance of keeping your personal information current and correct. You are encouraged to regularly review and update their information to ensure its accuracy and relevance.

15.2 You must prioritise the safeguarding of your account credentials and should refrain from sharing your credentials and adopt secure password practices, such as using strong, unique passwords and enabling multi-factor authentication when available.

15.3 You are able to tailor your level of engagement with our Exchange according to your preferences. Controls to allow this can be found in the Cookie Consent widget on this website, and in your Account's Administration Area.

15.4 We urge you to familiarise yourself with the privacy policies and terms of relevant third parties associated with our Exchange. This includes external services, partners, and integrated functionalities. Reviewing third-party policies ensures that you are aware of how your information may be handled beyond our platform.

15.5 If you are a seller on our Exchange, you may receive certain personal data and will have legal obligations in respect of such data. Your privacy responsibilities, including when you act as an independent data controller, are laid out in the Seller Policy.

16 Changes to Privacy Policy

This Policy is subject to change at any time, we will revise the "Last Updated" date at the top of this Policy. By continuing to use the Exchange, you acknowledge and agree that you it is your responsibility to review this Policy and we encourage you to do so to stay informed about how we are helping to protect the information we collect. It is your responsibility to be aware of any changes and your continued use of the Exchange shall constitute your agreement to this Policy and any updates.

17 How You & Us Communicate

- 17.1 For enquiries related to this Policy, you can reach out to us at gdpr@bngx.com. We value open communication and are committed to addressing any concerns or questions you may have regarding our terms.
- 17.2 Additionally, for data protection requests and concerns, users have the right to contact the ICO, the UK's supervisory authority for data protection matters. Information about the ICO, including contact details, can be found at Information Commissioner's Office (ICO).
- 17.3 For queries specifically related to cookies and their usage, users are encouraged to refer to our Cookies Policy available at bngx.com/cookies-policy/.