FX RAILS AG

PRIVACY NOTICE

Company: FX Rails AG
Swiss UID: CHE-403.817.123
Website: https://fx-rails.com/
Privacy Contact: info@fx-rails.com
Jurisdiction: Switzerland

1. Introduction

This Privacy Notice explains how FX Rails AG ("FX Rails", the "Company", "we", "us" or "our") collects, uses, stores, shares and otherwise processes personal data when individuals visit our website, apply for or use our services, initiate or receive payment transactions, communicate with us, act on behalf of a business customer or partner, receive marketing communications or apply for employment with us.

FX Rails AG is a company incorporated in Switzerland, identified by Swiss UID CHE-403.817.123.

For the purposes of this Privacy Notice, "Personal Data" means any information relating to an identified or identifiable natural person, including customers, payment senders and recipients, representatives of business clients, directors, shareholders, beneficial owners, authorised persons, business contacts and other individuals whose information we process.

FX Rails is committed to protecting Personal Data and respecting the privacy rights of individuals in accordance with applicable data protection legislation, including the Swiss Federal Act on Data Protection ("FADP") and, where applicable, the European Union General Data Protection Regulation ("GDPR").

This Privacy Notice explains the categories of Personal Data we collect, the purposes and legal grounds for processing, the recipients of Personal Data, applicable retention periods, international transfers and the rights available to individuals.

This Privacy Notice applies to https://fx-rails.com/ and the services and online interfaces operated by FX Rails.

It does not apply to independent websites or services operated by third parties. We encourage users to review the privacy notices of those providers before disclosing Personal Data to them.

This Privacy Notice should be read together with our applicable Terms and Conditions, Cookies Policy and other relevant service documentation.

We may amend this Privacy Notice to reflect changes in our services, legal obligations, processing activities or regulatory requirements. The latest version will be published on our website, and material changes will be communicated where required by applicable law.

Our services are not intended for individuals under the age of eighteen (18), and minors must not independently register for or use services subject to an adult eligibility requirement.

2. Information FX Rails Collects from Clients

To establish and maintain a business relationship, provide payment-related services and comply with applicable legal and regulatory obligations, FX Rails may collect and process Personal Data relating to its clients and relevant transaction participants.

Depending on the nature of the services and the individual's role, this information may include:

- Full legal name.
- Date and place of birth.
- Nationality and country of residence.
- Residential or business address.
- Email address and telephone number.
- Identification document details.
- Copies of passports, identity cards or other identification documents.
- Account and customer reference numbers.
- Bank account and payment card information required for supported transactions.
- Transaction history and payment-related information.
- Tax identification or other legally required identifiers.
- Information concerning the purpose and nature of the business relationship.
- Source of funds and source of wealth information.
- Information required for customer due diligence and regulatory screening.

Where a client is a legal entity, FX Rails may also collect information relating to its directors, shareholders, beneficial owners, authorised representatives and other relevant individuals.

Such information may be required to establish ownership and control structures, verify authority to act on behalf of a business and comply with applicable anti-money laundering obligations.

FX Rails may be unable to establish or maintain a business relationship or provide certain services where necessary information or documentation is not supplied.

2.1. Additional Information We Collect from Clients

When a client initiates, receives or participates in a payment transaction, FX Rails may collect information relating to that transaction.

This may include:

- Transaction amount and currency.
- Transaction date and time.
- Sender and recipient information.
- Payment instrument details.
- Bank account or card information required to process the transaction.
- Transaction reference numbers.
- Payment purpose and supporting documentation.
- Exchange rates and applicable fees.
- Transaction status and processing history.
- Information concerning payment disputes, refunds or reversals.

Where required for transaction security and fraud prevention, we may also collect technical information about the device used to access our services, including IP addresses, device identifiers, browser characteristics, operating systems, access logs and relevant security events.

FX Rails may conduct additional verification and due diligence where required by applicable law or justified by the risk associated with a client or transaction.

This may include obtaining information from identity-verification providers, fraud-prevention agencies, sanctions-screening providers, public registers and other lawful sources.

2.2. Business Customer Information

Where services are provided to legal entities or business partners, FX Rails may collect corporate and commercial information, including:

- Company name and registration details.
- Registered office and operating addresses.
- Nature of business activities.
- Ownership and control structures.
- Details of directors and authorised representatives.
- Beneficial ownership information.
- Relevant licences and regulatory authorisations.
- Financial information and supporting documentation.
- Expected transaction volumes and business activity.
- Information concerning counterparties and commercial relationships.

Personal Data relating to individuals associated with business customers will be processed in accordance with this Privacy Notice.

2.3. How Information Is Collected

FX Rails collects Personal Data through various channels, including when individuals:

- Apply for or register to use our services.
- Establish or maintain a business relationship with us.
- Submit identification or verification documents.
- Initiate, receive or otherwise participate in a payment transaction.

- Communicate with Customer Support.
- Submit enquiries, complaints or requests.
- Provide information required for compliance checks.
- Visit or interact with our website.
- Subscribe to communications where such functionality is available.
- Act as a director, shareholder, beneficial owner, representative or contact person of a business customer.
- Apply for employment or another professional relationship with FX Rails.

We aim to collect Personal Data lawfully, fairly and transparently and to limit collection to information reasonably necessary for the relevant purposes.

2.4. Alternative Methods of Collecting Information

FX Rails may also obtain Personal Data from third parties where necessary and legally permitted.

These sources may include:

- Banks and other financial institutions.
- Card issuers, payment processors and payment service providers.
- Identity-verification and customer due diligence providers.
- Fraud-prevention and risk-management providers.
- Sanctions-screening and politically exposed person screening providers.
- Commercial registries and beneficial ownership registers.
- Credit reference agencies, where legally permitted.
- Publicly available business directories and other reliable public sources.
- Professional advisers and authorised representatives.
- Business partners and counterparties involved in relevant transactions.
- Competent regulatory, supervisory and law-enforcement authorities.

Information obtained from these sources may be used to verify identity, assess risk, prevent financial crime, execute transactions or comply with legal and regulatory obligations.

2.5. Additional Verification

FX Rails may request additional information or documentation where necessary to verify information previously provided, conduct customer due diligence, process transactions or comply with applicable legal and regulatory requirements.

Such information may include:

- Updated identification documents.
- Proof of residential or business address.
- Bank statements.
- Evidence of source of funds or source of wealth.
- Information concerning the purpose of a transaction.
- Documentation supporting the underlying economic activity.
- Information concerning relationships between transaction participants.

- Corporate ownership and control documentation.

Where legally permitted and necessary, FX Rails or its authorised service providers may use identity-verification technologies, including document authenticity checks and biometric verification.

Any processing of biometric data will be subject to applicable legal requirements and appropriate safeguards.

3. Confidentiality and Clients' Personal Data Protection

FX Rails processes Personal Data in accordance with applicable Swiss data protection legislation, including the FADP and its implementing regulations.

Where the GDPR applies to particular processing activities, FX Rails will also comply with the relevant GDPR requirements.

We implement appropriate technical and organisational measures designed to protect Personal Data against unauthorised access, unlawful processing, accidental loss, destruction, alteration or disclosure.

Access to Personal Data is restricted to authorised personnel and service providers who require such access for legitimate business or compliance purposes.

FX Rails may engage third-party service providers to support its operations, including information technology, payment processing, identity verification, compliance, fraud prevention and data analysis.

Where such providers process Personal Data on our behalf, we seek to establish appropriate contractual and security safeguards.

3.1. Storage of Clients' Personal Data

Personal Data is stored and processed on servers located in the European Union. The member states of the European Union are recognised under Swiss data protection law as providing an adequate level of data protection.

We apply appropriate security measures to protect information regardless of its storage location.

These measures may include:

- Access controls and authentication mechanisms.
- Encryption in transit and, where appropriate, at rest.
- Network security and monitoring.
- Secure document storage.
- Access logging and audit trails.
- Internal confidentiality obligations.
- Data backup and recovery procedures.

- Security incident management.

Where Personal Data is transferred internationally, FX Rails will apply the safeguards required under applicable data protection legislation.

Although we take reasonable measures to protect information transmitted through electronic communications, no internet-based transmission method can be guaranteed to be completely secure.

4. How and Why We Use the Personal Data We Collect

FX Rails processes Personal Data only for specified, legitimate purposes and in accordance with applicable legal requirements.

Where the GDPR applies, processing will be based on one or more appropriate legal grounds, including:

Performance of a Contract: Processing necessary to provide services or take steps requested before entering into a contract.

Compliance with Legal Obligations: Processing necessary to comply with applicable legal or regulatory requirements.

Legitimate Interests: Processing necessary for the legitimate interests of FX Rails or a third party, provided such interests are not overridden by applicable individual rights and freedoms.

Consent: Processing based on valid consent where consent is required or otherwise appropriate.

Where Swiss data protection law applies, FX Rails processes Personal Data in accordance with the applicable principles and requirements of the FADP.

The principal purposes of processing are described below.

a) Providing and Administering FX Rails Services

We process identification, contact, financial, payment and transaction information to establish and maintain customer relationships, provide supported payment services, execute transactions, process refunds and communicate with clients.

b) Identity Verification and Customer Due Diligence

We process identification documents, contact details, corporate information, beneficial ownership information and other verification data to identify clients, verify their identity and fulfil applicable customer due diligence requirements.

This may include additional verification during onboarding and throughout the business relationship.

c) Anti-Money Laundering, Sanctions and Regulatory Screening

We process identification, transaction, source-of-funds, source-of-wealth, sanctions, politically exposed person and risk-related information to comply with applicable anti-money laundering, counter-terrorist financing and sanctions requirements.

This may include screening clients and transaction participants against relevant sanctions lists and conducting ongoing transaction monitoring.

Where information concerning criminal convictions or offences is processed, such processing will take place only where legally permitted and subject to appropriate safeguards.

d) Fraud Prevention, Account Protection and Transaction Monitoring

We process transaction information, device identifiers, IP addresses, authentication data and relevant behavioural or security information to detect and prevent fraud, unauthorised access, account misuse and other unlawful activities.

e) Customer Support and Complaint Handling

We process identification, transaction and communication information to respond to enquiries, investigate complaints, resolve disputes and provide customer support.

Communications may be retained or recorded where necessary, legally permitted and appropriately disclosed.

f) Administration of Financial Operations

We process financial and transaction information to manage payments, refunds, reconciliations, disputes, chargebacks, accounting records, financial reporting and other legitimate operational activities.

g) Information Security and Service Availability

We process technical, network, device and security information to maintain the confidentiality, integrity and availability of our systems, detect security incidents and prevent unauthorised access.

h) Marketing Communications

Where legally permitted, FX Rails may process contact details and relevant preferences to provide information about its products and services.

Where consent is required, marketing communications will be sent only after obtaining valid consent.

Individuals may withdraw consent or object to direct marketing at any time.

i) Legal, Regulatory and Law-Enforcement Requirements

We may process and disclose Personal Data where necessary to comply with applicable laws, regulatory obligations, court orders, lawful requests from competent authorities or to establish, exercise or defend legal claims.

j) Business Customer and Partner Due Diligence

We process Personal Data relating to directors, shareholders, beneficial owners, representatives and contact persons of business customers and partners to conduct due diligence, assess risk, manage contractual relationships and comply with legal and regulatory obligations.

5. How Long We Keep Your Personal Data

FX Rails retains Personal Data only for as long as necessary to fulfil the purposes for which it was collected, subject to applicable legal and regulatory retention requirements.

Under applicable Swiss anti-money laundering requirements, certain customer identification, transaction and business relationship records are generally required to be retained for ten (10) years following the termination of the relevant business relationship or completion of the relevant transaction, as applicable.

Other categories of Personal Data may be subject to different retention periods depending on their nature, purpose and applicable legal requirements.

When determining an appropriate retention period, FX Rails considers:

- The nature and sensitivity of the Personal Data.
- The purposes for which the information is processed.
- Applicable legal and regulatory obligations.
- The need to establish, exercise or defend legal claims.
- The risks associated with unauthorised access or disclosure.
- Whether the processing purpose can be achieved through other means.

Upon expiry of the applicable retention period, Personal Data will be deleted, anonymised or otherwise securely disposed of, unless continued retention is legally required or justified.

6. Sharing of Your Personal Data

FX Rails may share Personal Data with third parties where necessary to provide services, execute transactions, comply with legal obligations, prevent financial crime or conduct legitimate business operations.

Recipients may include:

- Banks and financial institutions.
- Payment service providers and payment processors.

- Card schemes and acquiring institutions.
- Identity-verification and customer due diligence providers.
- Sanctions-screening and fraud-prevention providers.
- Information technology and infrastructure providers.
- Professional advisers, auditors and legal representatives.
- Regulatory, supervisory and law-enforcement authorities.
- Authorised business partners and service providers.

We do not sell Personal Data to third parties for their independent marketing purposes.

Where third parties process Personal Data on behalf of FX Rails, appropriate contractual and organisational safeguards will be implemented as required by applicable law.

6.1. Sharing Information with Payment Participants

When a client initiates or receives a payment transaction, FX Rails may disclose information necessary to process, authenticate, execute, settle or reconcile the transaction.

Such information may include:

- Sender and recipient names.
- Payment account or instrument details.
- Transaction amount and currency.
- Transaction reference information.
- Payment purpose or description.
- Other information required by the relevant payment service provider or financial institution.

Recipients may include banks, payment processors, card schemes, acquiring institutions and other participants involved in the transaction.

These parties may process and retain Personal Data in accordance with their own legal obligations and applicable privacy policies.

Where transaction participants are located outside Switzerland or the EEA, relevant information may be transferred internationally in accordance with applicable data protection requirements.

FX Rails may use additional security measures, including one-time passwords or other authentication mechanisms, to protect payment transactions.

Such authentication measures do not, by themselves, constitute legal safeguards for international transfers of Personal Data.

6.2. Sharing Personal Data with Other Third Parties

FX Rails may disclose Personal Data where necessary and legally permitted, including:

- To competent authorities in connection with lawful investigations, regulatory supervision or legal proceedings.
- To financial institutions and payment partners involved in transaction processing.
- To fraud-prevention, identity-verification and risk-management providers.
- To professional advisers, auditors and legal representatives.
- To authorised agents or representatives acting on behalf of clients.
- To service providers supporting the Company's technology, security and operational infrastructure.
- To prospective purchasers, successors or other parties involved in a lawful corporate restructuring, merger or acquisition, subject to appropriate safeguards.

FX Rails may also disclose aggregated or anonymised statistical information where such information does not identify individuals.

6.3. International Transfers of Personal Data

Personal Data may be transferred to recipients located outside Switzerland or the EEA where necessary for the provision of services or other legitimate processing purposes. Where a Transfer is directed to a recipient whose card issuer or payment service provider is located outside Switzerland and the EEA, the information necessary to execute the Transfer is disclosed to that country, as this is necessary for the performance of the contract with you.

Where the recipient country does not provide an adequate level of data protection under applicable law, FX Rails will implement an appropriate transfer mechanism where required.

Such mechanisms may include:

- Applicable adequacy decisions or recognised adequacy determinations.
- Standard contractual clauses or other approved contractual safeguards.
- Additional technical and organisational safeguards where necessary.
- Other transfer mechanisms or exceptions permitted under applicable data protection legislation.

Where both Swiss data protection law and the GDPR apply, FX Rails will assess the relevant requirements under each framework.

7. Your Data Protection Rights

Individuals whose Personal Data is processed by FX Rails may have rights under applicable data protection legislation.

These rights may include:

a) Right to Information

The right to receive information about how Personal Data is collected and processed.

b) Right of Access

The right to request confirmation of whether FX Rails processes Personal Data concerning you and to obtain access to such information, subject to applicable legal limitations.

c) Right to Rectification

The right to request correction of inaccurate or incomplete Personal Data.

d) Right to Erasure

The right to request deletion of Personal Data where applicable legal conditions are satisfied.

FX Rails may be required to retain certain information despite an erasure request where retention is necessary to comply with anti-money laundering, financial record-keeping or other legal obligations.

e) Right to Restriction of Processing

Where the GDPR applies, the right to request restriction of processing in circumstances provided by law.

f) Right to Object

The right to object to certain processing activities where applicable law provides such a right.

g) Right to Data Portability

Where applicable legal requirements are satisfied, the right to receive certain Personal Data in a structured, commonly used and machine-readable format or request its transmission to another controller.

h) Rights Relating to Automated Decision-Making

Where FX Rails makes decisions based solely on automated processing that produce legal effects or similarly significant effects, individuals may have rights to receive information about such decisions and request human involvement or review, as provided by applicable law.

i) Right to Withdraw Consent

Where processing is based on consent, the right to withdraw that consent at any time without affecting the lawfulness of processing carried out before withdrawal.

j) Right to Lodge a Complaint

Individuals may have the right to lodge a complaint with a competent data protection supervisory authority.

In Switzerland, the relevant federal supervisory authority is the Federal Data Protection and Information Commissioner (“FDPIC”).

Where the GDPR applies, individuals may also have the right to contact a competent supervisory authority in the relevant EU or EEA jurisdiction.

8. How to Access Your Data

Individuals wishing to exercise their data protection rights may contact FX Rails at:

Email: info@fx-rails.com
Subject: Data Protection Request

Requests should provide sufficient information to identify the individual and the Personal Data concerned. FX Rails may request additional information to verify the identity of the requesting individual before responding.

FX Rails will respond within thirty (30) days of receipt of a request or, where the GDPR applies, within one (1) month. Where permitted by applicable law, this period may be extended, in which case FX Rails will inform the individual of the extension and the reasons for it.

Requests are generally handled free of charge. FX Rails may refuse or restrict a request, or charge a fee, where permitted by applicable law, including where a request is manifestly unfounded or excessive or where disclosure would conflict with legal obligations, including anti-money laundering confidentiality obligations.

9. Controller and Contact Details

The controller responsible for the processing of Personal Data described in this Privacy Notice is:

FX Rails AG

Seefeldstrasse 219, 8008 Zurich, Switzerland

Swiss UID: CHE-403.817.123

Email: info@fx-rails.com