

# Privacy Policy

Last updated November 30, 2023

This privacy notice for AML Watcher LLC ("we," "us," or "our"), describes how and why we might collect, store, use, and/or share ("process") your information when you use our products ("products") and services ("services"), such as when you:

- Visit our website at [www.amlwatcher.com](http://www.amlwatcher.com), or any website of ours that links to this privacy policy.
- Engage with us in other related ways, including sales, marketing, or events related to AML Watcher.

Reading this privacy policy will help you understand your privacy rights and choices. If you have any questions or concerns, please contact us by visiting <https://amlwatcher.com/contact-us/> or by emailing us at [info@amlwatcher.com](mailto:info@amlwatcher.com).

## SUMMARY OF KEY POINTS

This summary provides key points from our privacy notice, but you can find out more details about any of these topics by clicking the link following each

key point or by using our [table of contents](#) below to find the section you are looking for.

- What personal information do we process? When you visit, use, or navigate our products and services, we may process personal information depending on how you interact with us and the services, the choices you make, and the products and features you use. Learn more about personal information you disclose to us.
- Do we process any sensitive personal information? We do not process sensitive personal information.
- Do we receive any information from third parties? We do not receive any information from third parties.
- How do we process your information? We process your information to provide, improve, and administer our services, communicate with you, for security and fraud prevention, and to comply with law. We may also process your information for other purposes with your consent. We process your information only when we have a valid legal reason to do so. [Learn more about how we process your information.](#)
- In what situations and with which parties do we share personal information? We may share information in specific situations and with specific third parties. Learn more about [when and with whom we share your personal information.](#)
- How do we keep your information safe? We have organizational and technical processes and procedures in place to protect your personal information. However, no electronic transmission over the internet or information storage technology can be guaranteed to be 100% secure, so we

cannot promise or guarantee that hackers, cybercriminals, or other unauthorized third parties will not be able to defeat our security and improperly collect, access, steal, or modify your information. Learn more about [how we keep your information safe](#).

- What are your rights? Depending on where you are located geographically, the applicable privacy law may mean you have certain rights regarding your personal information. Learn more about your [privacy rights](#).
- How do you exercise your rights? The easiest way to exercise your rights is by visiting [info@amlwatcher.com](mailto:info@amlwatcher.com), or by [contacting us](#). We will consider and act upon any request in accordance with applicable data protection laws.

Want to learn more about what we do with any information we collect? Review the following privacy policy in full.

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## **1. WHAT INFORMATION DO WE COLLECT?**

### **Personal Information You Disclose to Us**

We collect personal information that you voluntarily provide to us when you register on the products, express an interest in obtaining information about us or our products and services, when you participate in activities, or otherwise when you contact us.

### **Personal Information Provided by You**

The personal information that we collect depends on the context of your interactions with us and the choices you make, and the products and features you use. The personal information we collect may include the following:

- names
- phone numbers
- email addresses
- mailing addresses
- usernames

- passwords
- contact preferences

## **Sensitive Information**

We do not process sensitive information. All personal information that you provide to us must be true, complete, and accurate, and you must notify us of any changes to such personal information.

## **Information Automatically Collected**

We automatically collect certain information when you visit us or use the products and services offered by us. This information does not reveal your specific identity (like your name or contact information) but may include device and usage information, such as your IP address, browser and device characteristics, operating system, language preferences, referring URLs, device name, country, location, information about how and when you visit us, and other technical information. This information is primarily needed to maintain the security and operation of our services, and for our internal analytics and reporting purposes.

Like many businesses, we also collect information through cookies and similar technologies. The information we collect includes:

- **Log and Usage Data.** Log and usage data is service-related, diagnostic, usage, and performance information our servers automatically collect when you access or use our products and services and which we record in log files. Depending on how you interact with us, this log data may include your IP

address, device information, browser type, and settings and information about your activity in the products (such as the date/time stamps associated with your usage, pages and files viewed, searches, and other actions you take such as which features you use), device event information (such as system activity, error reports (sometimes called "crash dumps"), and hardware settings).

- **Location Data.** We collect location data such as information about your device's location, which can be either precise or imprecise. How much information we collect depends on the type and settings of the device you use to access the products and services. For example, we may use GPS and other technologies to collect geolocation data that tells us your current location (based on your IP address). You can opt out of allowing us to collect this information either by refusing access to the information or by disabling your Location setting on your device. However, if you choose to opt out, you may not be able to use certain aspects of the services.

## **2. HOW DO WE PROCESS YOUR INFORMATION?**

We process your information to provide, improve, and administer our services, communicate with you, for security and fraud prevention, and to comply with law. We may also process your information for other purposes with your consent.

We process your personal information for a variety of reasons, depending on how you interact with us, including:

- To facilitate account creation and authentication and otherwise manage user accounts. We may process your information so you can create and log in to your account, as well as keep your account in working order.
- To deliver and facilitate delivery of services to the user. We may process your information to provide you with the requested service.
- To respond to user inquiries/offer support to users. We may process your information to respond to your inquiries and solve any potential issues you might have with the requested service.
- To enable user-to-user communications. We may process your information if you choose to use any of our offerings that allow for communication with another user.
- To send you marketing and promotional communications. We may process the personal information you send to us for our marketing purposes, if this is in accordance with your marketing preferences. You can opt out of our marketing emails at any time. For more information, see [WHAT ARE YOUR PRIVACY RIGHTS?](#) below.
- To save or protect an individual's vital interest. We may process your information when necessary to save or protect an individual's vital interest, such as to prevent harm.

### **3. WHAT LEGAL BASES DO WE RELY ON TO PROCESS YOUR INFORMATION?**

We only process your personal information when we believe it is necessary and we have a valid legal reason (i.e., legal basis) to do so under applicable

law, like with your consent, to comply with laws, to provide you with services to enter into or fulfill our contractual obligations, to protect your rights, or to fulfill our legitimate business interests.

*If you are located in the EU or UK, this section applies to you.*

The General Data Protection Regulation (GDPR) and UK GDPR require us to explain the valid legal bases we rely on in order to process your personal information. As such, we may rely on the following legal bases to process your personal information:

- **Consent.** We may process your information if you have given us permission (i.e., consent) to use your personal information for a specific purpose. You can withdraw your consent at any time. Learn more about withdrawing your consent.
- **Performance of a Contract.** We may process your personal information when we believe it is necessary to fulfill our contractual obligations to you, including providing our services or at your request prior to entering into a contract with you.
- **Legitimate Interests.** We may process your information when we believe it is reasonably necessary to achieve our legitimate business interests and those interests do not outweigh your interests and fundamental rights and freedoms. For example, we may process your personal information for some of the purposes described in order to: Send users information about special offers and discounts on our products and services



- Legal Obligations. We may process your information where we believe it is necessary for compliance with our legal obligations, such as to cooperate with a law enforcement body or regulatory agency, exercise or defend our legal rights, or disclose your information as evidence in litigation in which we are involved.
- Vital Interests. We may process your information where we believe it is necessary to protect your vital interests or the vital interests of a third party, such as situations involving potential threats to the safety of any person.

*If you are located in Canada, this section applies to you.*

We may process your information if you have given us specific permission (i.e., express consent) to use your personal information for a specific purpose, or in situations where your permission can be inferred (i.e., implied consent). You can withdraw your consent at any time.

In some exceptional cases, we may be legally permitted under applicable law to process your information without your consent, including, for example:

- If collection is clearly in the interests of an individual and consent cannot be obtained in a timely way,
- For investigations and fraud detection and prevention,
- For business transactions provided certain conditions are met,
- If it is contained in a witness statement and the collection is necessary to assess, process, or settle an insurance claim,

- For identifying injured, ill, or deceased persons and communicating with next of kin,
- If we have reasonable grounds to believe an individual has been, is, or may be victim of financial abuse,
- If it is reasonable to expect collection and use with consent would compromise the availability or the accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of Canada or a province,
- If disclosure is required to comply with a subpoena, warrant, court order, or rules of the court relating to the production of records,
- If it was produced by an individual in the course of their employment, business, or profession and the collection is consistent with the purposes for which the information was produced,
- If the collection is solely for journalistic, artistic, or literary purposes,
- If the information is publicly available and is specified by the regulations.

## **4. WHEN AND WITH WHOM DO WE SHARE YOUR PERSONAL INFORMATION?**

We may need to share your personal information in the following situations:

- **Business Transfers.** We may share or transfer your information in connection with, or during negotiations of, any merger, sale of company

assets, financing, or acquisition of all or a portion of our business to another company.

- **Affiliates.** We may share your information with our affiliates, in which case we will require those affiliates to honor this privacy notice. Affiliates include our parent company and any subsidiaries, joint venture partners, or other companies that we control or that are under common control with us.

## **5. DO WE USE COOKIES AND OTHER TRACKING TECHNOLOGIES?**

We may use cookies to access or store information. Specific information about how we use such technologies and how you can refuse certain cookies is set out in our Cookie Notice.

## **6. HOW LONG DO WE KEEP YOUR INFORMATION?**

We will only keep your personal information for as long as it is necessary for the purposes set out in this privacy policy, unless a longer retention period is required or permitted by law (such as tax, accounting, or other legal requirements). No purpose in this policy will require us keeping your personal information for longer than the period of time in which users have an account with us.

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize such information, or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

## **7. HOW DO WE KEEP YOUR INFORMATION SAFE?**

Security measures are designed to protect the security of any personal information we process. However, despite our safeguards and efforts to secure your information, no electronic transmission over the Internet or information storage technology can be guaranteed to be 100% secure, so we cannot promise or guarantee that hackers, cybercriminals, or other unauthorized third parties will not be able to defeat our security and improperly collect, access, steal, or modify your information. Although we will do our best to protect your personal information, transmission of personal information to and from our products and services is at your own risk. You should only access the products and services within a secure environment.

## **8. DO WE COLLECT INFORMATION FROM MINORS?**

We do not knowingly solicit data from or market to children under 18 years of age. By using the products and services, you represent that you are at least 18

or that you are the parent or guardian of such a minor and consent to such minor dependent's use of the services. If we learn that personal information from users less than 18 years of age has been collected, we will deactivate the account and take reasonable measures to promptly delete such data from our records. If you become aware of any data we may have collected from children under age 18, please contact us at [info@amlwatcher.com](mailto:info@amlwatcher.com).

## 9. WHAT ARE YOUR PRIVACY RIGHTS?

In some regions (like the EEA, UK, Switzerland, and Canada), you have certain rights under applicable data protection laws. These may include the right;

- to request access and obtain a copy of your personal information,
- to request rectification or erasure;
- to restrict the processing of your personal information;
- if applicable, to data portability;
- not to be subject to automated decision-making. In certain circumstances, you may also have the right to object to the processing of your personal information. You can make such a request by contacting us by using the contact details provided in the section [HOW CAN YOU CONTACT US ABOUT THIS NOTICE?](#) below.

We will consider and act upon any request in accordance with applicable data protection laws.

If you are located in the EEA or UK and you believe we are unlawfully processing your personal information, you also have the right to complain to your [Member State data protection authority](#) or [UK data protection authority](#).

If you are located in Switzerland, you may contact the [Federal Data Protection and Information Commissioner](#).

Withdrawing your consent: If we are relying on your consent to process your personal information, which may be express and/or implied consent depending on the applicable law, you have the right to withdraw your consent at any time. You can withdraw your consent at any time by contacting us by using the contact details provided in the section [HOW CAN YOU CONTACT US ABOUT THIS NOTICE?](#) below or updating your preferences.

However, please note that this will not affect the lawfulness of the processing before its withdrawal nor, when applicable law allows, will it affect the processing of your personal information conducted in reliance on lawful processing grounds other than consent.

Opting out of marketing and promotional communications: You can unsubscribe from our marketing and promotional communications at any time by clicking on the unsubscribe link in the emails that we send, or by contacting us using the details provided in the section [HOW CAN YOU CONTACT US ABOUT THIS NOTICE?](#) below. You will then be removed from the marketing lists. However, we may still communicate with you — for example, to send you service-related messages that are necessary for the

administration and use of your account, to respond to service requests, or for other non-marketing purposes.

## **Account Information**

If you would at any time like to review or change the information in your account or terminate your account, you can:

- Log in to your account settings and update your user account.

Upon your request to terminate your account, we will deactivate or delete your account and information from our active databases. However, we may retain some information in our files to prevent fraud, troubleshoot problems, assist with any investigations, enforce our legal terms and/or comply with applicable legal requirements.

Cookies and similar technologies: Most Web browsers are set to accept cookies by default. If you prefer, you can usually choose to set your browser to remove cookies and to reject cookies. If you choose to remove cookies or reject cookies, this could affect certain features or services of AML Watcher.

If you have questions or comments about your privacy rights, you may email us at [info@amlwatcher.com](mailto:info@amlwatcher.com).

## **10. CONTROLS FOR DO-NOT-TRACK FEATURES**

Most web browsers and some mobile operating systems and mobile applications include a Do-Not-Track ("DNT") feature or setting you can activate to signal your privacy preference not to have data about your online browsing activities monitored and collected. At this stage no uniform technology standard for recognizing and implementing DNT signals has been finalized. As such, we do not currently respond to DNT browser signals or any other mechanism that automatically communicates your choice not to be tracked online. If a standard for online tracking is adopted that we must follow in the future, we will inform you about that practice in a revised version of this privacy notice.

## 11. DO UNITED STATES RESIDENTS HAVE SPECIFIC PRIVACY RIGHTS?

If you are a resident of California, Colorado, Connecticut, Utah or Virginia, you are granted specific rights regarding access to your personal information.

What categories of personal information do we collect?

We have collected the following categories of personal information in the past twelve (12) months:

Category	Examples	Collected
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A	Identifiers	Contact details, such as real name, alias, postal address, telephone or mobile contact number, unique personal identifier, online identifier, Internet Protocol address, email address, and account name	YES
B	Personal information as defined in the California Customer Records statute	Name, contact information, employment	YES
C	Protected classification characteristics under state or federal law	Gender and date of birth	YES
D	Commercial information	Transaction information, purchase history, and payment information	YES
E	Biometric information	Fingerprints and voiceprints	NO

F	Internet or other similar network activity	Browsing history, search history, interest data, and interactions with our websites, applications, systems, and advertisements	YES
G	Geolocation data	Device location	YES
H	Audio, electronic, visual, thermal, olfactory, or similar information	Images and audio, video or call recordings created in connection with our business activities	NO
I	Professional or employment-related information	Business contact details in order to provide you our services at a business level or job title, work history, and professional qualifications if you apply for a job with us	YES
J	Education Information	Student records and directory information	NO
K	Inferences drawn from collected personal information	Inferences drawn from any of the collected personal information listed above to create a profile or summary about, for example, an individual's preferences and characteristics	YES

L	Sensitive personal Information		NO
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We will use and retain the collected personal information as needed to provide the services for as long as the user has an account with us.

We may also collect other personal information outside of these categories through instances where you interact with us in person, online, or by phone or mail in the context of:

- Receiving help through our customer support channels;
- Participation in customer surveys or contests; and
- Facilitation in the delivery of our products and services and to respond to your inquiries.

How do we use and share your personal information? Learn about how we use your personal information in the section, [HOW DO WE PROCESS YOUR INFORMATION?](#)

Will your information be shared with anyone else? We may disclose your personal information with our service providers pursuant to a written contract between us and each service provider. Learn more about how we disclose personal information in the section, [WHEN AND WITH WHOM DO WE SHARE YOUR PERSONAL INFORMATION?](#)

We may use your personal information for our own business purposes, such as for undertaking internal research for technological development and

demonstration. This is not considered to be "selling" your personal information.

We have not disclosed, sold, or shared any personal information to third parties for a business or commercial purpose in the preceding twelve (12) months. We will not sell or share personal information in the future belonging to website visitors, users, and other consumers.

## **California Residents**

California Civil Code Section 1798.83, also known as the "Shine The Light" law permits our users who are California residents to request and obtain from us, once a year and free of charge, information about categories of personal information (if any) we disclosed to third parties for direct marketing purposes and the names and addresses of all third parties with which we shared personal information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to us using the contact information provided below.

If you are under 18 years of age, reside in California, and have a registered account with us, you have the right to request removal of unwanted data that you publicly post on AML Watcher. To request removal of such data, please contact us using the contact information provided below and include the email address associated with your account and a statement that you reside in California. We will make sure the data is not publicly displayed, but please

be aware that the data may not be completely or comprehensively removed from all our systems (e.g., backups, etc.).

## **CCPA Privacy Notice**

This section applies only to California residents. Under the California Consumer Privacy Act (CCPA), you have the rights listed below.

The California Code of Regulations defines a "residents" as:

- every individual who is in the State of California for other than a temporary or transitory purpose and
- every individual who is domiciled in the State of California who is outside the State of California for a temporary or transitory purpose

All other individuals are defined as "non-residents."

If this definition of "resident" applies to you, we must adhere to certain rights and obligations regarding your personal information.

## **Your rights with respect to your personal data**

Right to request deletion of the data — Request to delete

You can ask for the deletion of your personal information. If you ask us to delete your personal information, we will respect your request and delete your personal information, subject to certain exceptions provided by law, such as (but not limited to) the exercise by another consumer of his or her right to

free speech, our compliance requirements resulting from a legal obligation, or any processing that may be required to protect against illegal activities.

## Right to be informed — Request to know

Depending on the circumstances, you have a right to know:

- whether we collect and use your personal information;
- the categories of personal information that we collect;
- the purposes for which the collected personal information is used;
- whether we sell or share personal information to third parties;
- the categories of personal information that we sold, shared, or disclosed for a business purpose;
- the categories of third parties to whom the personal information was sold, shared, or disclosed for a business purpose;
- the business or commercial purpose for collecting, selling, or sharing personal information; and
- the specific pieces of personal information we collected about you.

In accordance with applicable law, we are not obligated to provide or delete consumer information that is de-identified in response to a consumer request or to re-identify individual data to verify a consumer request.

## Right to Non-Discrimination for the Exercise of a Consumer's Privacy Rights

We will not discriminate against you if you exercise your privacy rights.

## Right to Limit Use and Disclosure of Sensitive Personal Information

We do not process consumer's sensitive personal information.

### Verification process

Upon receiving your request, we will need to verify your identity to determine you are the same person about whom we have the information in our system. These verification efforts require us to ask you to provide information so that we can match it with information you have previously provided us. For instance, depending on the type of request you submit, we may ask you to provide certain information so that we can match the information you provide with the information we already have on file, or we may contact you through a communication method (e.g., phone or email) that you have previously provided to us. We may also use other verification methods as the circumstances dictate.

We will only use personal information provided in your request to verify your identity or authority to make the request. To the extent possible, we will avoid requesting additional information from you for the purposes of verification. However, if we cannot verify your identity from the information already maintained by us, we may request that you provide additional information for the purposes of verifying your identity and for security or fraud-prevention purposes. We will delete such additionally provided information as soon as we finish verifying you.

### Other Privacy Rights

- You may object to the processing of your personal information.
- You may request correction of your personal data if it is incorrect or no longer relevant, or ask to restrict the processing of the information.
- You can designate an authorized agent to make a request under the CCPA on your behalf. We may deny a request from an authorized agent that does not submit proof that they have been validly authorized to act on your behalf in accordance with the CCPA.
- You may request to opt out from future selling or sharing of your personal information to third parties. Upon receiving an opt-out request, we will act upon the request as soon as feasibly possible, but no later than fifteen (15) days from the date of the request submission.

To exercise these rights, you can contact us by email at [info@amlwatcher.com](mailto:info@amlwatcher.com) or by visiting <https://amlwatcher.com/contact-us/>. If you have a complaint about how we handle your data, we would like to hear from you.

## **Colorado Residents**

This section applies only to Colorado residents. Under the Colorado Privacy Act (CPA), you have the rights listed below. However, these rights are not absolute, and in certain cases, we may decline your request as permitted by law.

- Right to be informed whether or not we are processing your personal data
- Right to access your personal data
- Right to correct inaccuracies in your personal data



- Right to request deletion of your personal data
- Right to obtain a copy of the personal data you previously shared with us
- Right to opt out of the processing of your personal data if it is used for targeted advertising, the sale of personal data, or profiling in furtherance of decisions that produce legal or similarly significant effects ("profiling")

To submit a request to exercise these rights described above, please email at [info@amlwatcher.com](mailto:info@amlwatcher.com).

If we decline to take action regarding your request and you wish to appeal our decision, please email us at [info@amlwatcher.com](mailto:info@amlwatcher.com). Within forty-five (45) days of receipt of an appeal, we will inform you in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions.

## **Connecticut Residents**

This section applies only to Connecticut residents. Under the Connecticut Data Privacy Act (CTDPA), you have the rights listed below. However, these rights are not absolute, and in certain cases, we may decline your request as permitted by law.

- Right to be informed whether or not we are processing your personal data
- Right to access your personal data
- Right to correct inaccuracies in your personal data
- Right to request deletion of your personal data

- Right to obtain a copy of the personal data you previously shared with us
- Right to opt out of the processing of your personal data if it is used for targeted advertising, the sale of personal data, or profiling in furtherance of decisions that produce legal or similarly significant effects ("profiling")

To submit a request to exercise these rights described above, please email at [info@amlwatcher.com](mailto:info@amlwatcher.com).

If we decline to take action regarding your request and you wish to appeal our decision, please email us at [info@amlwatcher.com](mailto:info@amlwatcher.com). Within sixty (60) days of receipt of an appeal, we will inform you in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions.

## **Utah Residents**

This section applies only to Utah residents. Under the Utah Consumer Privacy Act (UCPA), you have the rights listed below. However, these rights are not absolute, and in certain cases, we may decline your request as permitted by law.

- Right to be informed whether or not we are processing your personal data
- Right to access your personal data
- Right to request deletion of your personal data
- Right to obtain a copy of the personal data you previously shared with us

- Right to opt out of the processing of your personal data if it is used for targeted advertising or the sale of personal data

To submit a request to exercise these rights described above, please email at [info@amlwatcher.com](mailto:info@amlwatcher.com).

## **Virginia Residents**

Under the Virginia Consumer Data Protection Act (VCDPA):

"Consumer" means a natural person who is a resident of the Commonwealth acting only in an individual or household context. It does not include a natural person acting in a commercial or employment context.

"Personal data" means any information that is linked or reasonably linkable to an identified or identifiable natural person. "Personal data" does not include de-identified data or publicly available information.

"Sale of personal data" means the exchange of personal data for monetary consideration.

If this definition of "consumer" applies to you, we must adhere to certain rights and obligations regarding your personal data.

Your rights with respect to your personal data

- Right to be informed whether or not we are processing your personal data

- Right to access your personal data
- Right to correct inaccuracies in your personal data
- Right to request deletion of your personal data
- Right to obtain a copy of the personal data you previously shared with us
- Right to opt out of the processing of your personal data if it is used for targeted advertising, the sale of personal data, or profiling in furtherance of decisions that produce legal or similarly significant effects ("profiling")

Exercise your rights provided under the Virginia VCDPA

You may contact us by email at [info@amlwatcher.com](mailto:info@amlwatcher.com).

If you are using an authorized agent to exercise your rights, we may deny a request if the authorized agent does not submit proof that they have been validly authorized to act on your behalf.

#### Verification process

We may request that you provide additional information reasonably necessary to verify you and your consumer's request. If you submit the request through an authorized agent, we may need to collect additional information to verify your identity before processing your request.

Upon receiving your request, we will respond without undue delay, but in all cases, within forty-five (45) days of receipt. The response period may be extended once by forty-five (45) additional days when reasonably necessary.

We will inform you of any such extension within the initial 45-day response period, together with the reason for the extension.

### Right to appeal

If we decline to take action regarding your request, we will inform you of our decision and reasoning behind it. If you wish to appeal our decision, please email us at [info@amlwatcher.com](mailto:info@amlwatcher.com). Within sixty (60) days of receipt of an appeal, we will inform you in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If your appeal is denied, you may contact the [Attorney General to submit a complaint](#).

## 12. DO OTHER REGIONS HAVE SPECIFIC PRIVACY RIGHTS?

You may have additional rights based on the country you reside in.

### **Australia and New Zealand**

We collect and process your personal information under the obligations and conditions set by Australia's Privacy Act 1988 and New Zealand's Privacy Act 2020 (Privacy Act).

This privacy notice satisfies the notice requirements defined in both Privacy Acts, in particular: what personal information we collect from you, from which

sources, for which purposes, and other recipients of your personal information.

If you do not wish to provide the personal information necessary to fulfill their applicable purpose, it may affect our ability to provide our services, in particular:

- offer you the products or services that you want
- respond to or help with your requests
- manage your account with us
- confirm your identity and protect your account

At any time, you have the right to request access to or correction of your personal information. You can make such a request by contacting us by using the contact details provided in the section [HOW CAN YOU REVIEW, UPDATE, OR DELETE THE DATA WE COLLECT FROM YOU?](#)

If you believe we are unlawfully processing your personal information, you have the right to submit a complaint about a breach of the Australian Privacy Principles to the [Office of the Australian Information Commissioner](#) and a breach of New Zealand's Privacy Principles to the [Office of New Zealand Privacy Commissioner](#).

## **Republic of South Africa**

At any time, you have the right to request access to or correction of your personal information. You can make such a request by contacting us by using

the contact details provided in the section [HOW CAN YOU REVIEW, UPDATE, OR DELETE THE DATA WE COLLECT FROM YOU?](#)

If you are unsatisfied with the manner in which we address any complaint with regard to our processing of personal information, you can contact the office of the regulator, the details of which are:

[The Information Regulator \(South Africa\)](#)

- General enquiries: [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)
- Complaints (complete POPIA/PAIA form 5):
- [PAIAComplaints@inforegulator.org.za](mailto:PAIAComplaints@inforegulator.org.za)
- [POPIAComplaints@inforegulator.org.za](mailto:POPIAComplaints@inforegulator.org.za)

## **13. DO WE MAKE UPDATES TO THIS NOTICE?**

We may update this privacy notice from time to time. The updated version will be indicated by an updated "Revised" date and the updated version will be effective as soon as it is accessible. If we make material changes to this privacy notice, we may notify you either by prominently posting a notice of such changes or by directly sending you a notification. We encourage you to review this privacy notice frequently to be informed of how we are protecting your information.

## **14. HOW CAN YOU CONTACT US ABOUT THIS NOTICE?**

If you have questions or comments about this notice, you may contact us by visiting <https://amlwatcher.com/contact-us/> or email us at [info@amlwatcher.com](mailto:info@amlwatcher.com).

## **15. HOW CAN YOU REVIEW, UPDATE, OR DELETE THE DATA WE COLLECT FROM YOU?**

You have the right to request access to the personal information we collect from you, change that information, or delete it. To request to review, update, or delete your personal information, please visit: [info@amlwatcher.com](mailto:info@amlwatcher.com).

## **16. DATA PROCESSING AGREEMENT**

### **1. DEFINITIONS AND INTERPRETATION**

- 1.1. Unless otherwise defined herein, the capitalized terms and expressions used in this Agreement shall have the following meanings:
  - 1.1.1. "Agreement" means this Data Processing Agreement and all Schedules.
  - 1.1.2. "Company Personal Data" means any Personal Data processed by the Data Processor on behalf of the Company pursuant to the Principal Agreement.
  - 1.1.3. "Standard Contractual Clauses" means the model data protection clauses adopted by the European Commission
  - 1.1.4. "GDPR" means General Data Protection Regulation (EU) 2016/679.



1.1.5. "Sub Processor" means any third-party processor appointed by the Data Processor to process personal data on behalf of the Company.

1.2. Other terms such as "Controller", "Processor", "Data Subject" and "Processing", and shall have the same meaning as defined under the EU GDPR.

## **2. PROCESSING OF COMPANY PERSONAL DATA**

2.1. The Data Processor shall:

i. Comply with all applicable Data Protection Laws in the processing of Company Personal Data.

ii. Process Company Personal Data only on documented instructions from the Company, unless required by law, in which case the Data Processor shall promptly inform the Company, unless prohibited by law.

iii. Maintain detailed records of processing activities performed on behalf of the Company and provide such records upon request.

iv. Retain discretion to refuse instructions that, in the Data Processor's reasonable judgment, may violate applicable Data Protection Laws or impose undue risk or cost.

v. Require prepayment for an extraordinary or high-risk processing activities requested by the Company.

vi. Ensure that its principals, agents, contractors, employees are made aware of and agree to comply with the obligations contained in this Agreement regarding the Personal Data, the Processing for the purposes of rendering the services requested by the Company, and the confidentiality Clause (Clause 9). Further, the Data Processor shall take all reasonable steps to ensure that its principals, agents, contractors, employees to whom the Personal Data is made available, shall comply with such obligations in carrying out the services requested by the Company.

- vii. Upon reasonable advance written notice, grant the Controller, its sub-contractors and contractors, and applicable Relevant Data Protection Authority, such access to its facilities, systems, premises, computer and other information systems and records, and full details of the nature and delivery of the services and the Processing, as may be lawfully required by the Controller for the purpose of demonstrating compliance by the Processor and the Controller with their respective obligations under Applicable Laws.

Notwithstanding anything stated hereinabove, such access shall be strictly limited to the facilities, systems, premises, computer and other information systems and records, and full details of the nature and delivery of the services and the Processes provided in this Agreement and shall not extend beyond the scope thereof.

### **3. SUB-PROCESSING**

- 3.1. The Data Processor may engage Sub-Processors, as mutually agreed upon between the Parties. The Data Processor may engage Sub-Processors may only with prior written authorization from the Company. The Data Processor shall ensure that any Sub-Processor complies with equivalent data protection obligations as those set out in this Agreement.
- 3.2. The Data Processor shall remain fully liable for the acts or omissions of its Sub-Processors. However, the Data Processor's liability for Sub-Processor actions shall not exceed the liability limits specified in this Agreement.
- 3.3. The Company acknowledges that the Data Processor may engage Sub-Processors to ensure efficient and high-quality services, provided they comply with all applicable regulations.
- 3.4. Any changes to Sub-Processors shall be notified to the Company with sufficient time for the Company to raise reasonable objections. The Company's failure to object within this timeframe will be deemed acceptance.

#### **4. SECURITY OF PROCESSING**

- 4.1. The Data Processor shall implement industry-standard security measures, including but not limited to:
- i. Pseudonymization and encryption of personal data;
  - ii. Ensuring the ongoing confidentiality, integrity, and availability of processing systems;
  - iii. Disaster recovery and incident response protocols.
- 4.2. The Data Processor shall provide a written summary of its security measures upon request and update these measures as necessary to reflect evolving threats.
- 4.3. The Company acknowledges that no security measures can provide absolute protection, and the Data Processor shall not be liable for security incidents caused by factors beyond its reasonable control.
- 4.4. Any additional security measures requested by the Company that go beyond industry standards will require a separate agreement and may incur additional costs.

#### **5. DATA SUBJECT RIGHTS**

- 5.1. The Data Processor shall assist the Company in responding to requests from Data Subjects exercising their rights under applicable Data Protection Laws.
- 5.2. Any costs incurred in fulfilling Data Subject requests shall be borne by the Company. The Data Processor reserves the right to charge additional fees for unreasonable or excessive requests.
- 5.3. The Data Processor shall not be liable for the Company's failure to respond to Data Subject requests or comply with Data Subject rights.

## **6. PERSONAL DATA BREACH**

- 6.1. In the event of a Personal Data Breach, the Data Processor shall notify the Company without undue delay and no later than 48 hours after becoming aware of the breach.
- 6.2. The Data Processor's notification shall include:
- i. A description of the nature of the breach;
  - ii. The categories and approximate number of Data Subjects affected;
  - iii. Mitigation measures undertaken.
- 6.3. The Company agrees to indemnify and hold harmless the Data Processor against any and all costs, expenses, and liabilities incurred in the management of a data breach arising as a direct result of the Company's gross negligence or willful misconduct, except to the extent that such breach is caused solely by the gross negligence or willful misconduct of the Data Processor.
- 6.4. The Data Processor shall not be responsible for breaches arising from vulnerabilities in systems provided by the Company or third-party vendors, force majeure events, external attacks beyond reasonable control, or due to insufficient instructions from the Company.
- 6.5. The Company agrees to bear costs for additional mitigation measures requested beyond those deemed reasonable by the Data Processor.

## **7. TERMINATION AND DATA RETURN**

- 7.1. Upon termination of services, the Data Processor shall, at the Company's written request, either delete or return the personal data. The Company may, at its discretion, retain the personal data for a period not exceeding six (6) months to fulfill its own legal or regulatory obligations.
- 7.2. The Data Processor shall not be liable for any consequences arising from delayed instructions or unclear requirements regarding data deletion or return.
- 7.3. If additional time or resources are required for data return or deletion due to the Company's specific requests, these will be charged at the Data Processor's standard rates.

## **8. LIMITATION OF LIABILITY**

- 8.1. The Data Processor's liability under this Agreement shall be limited to direct damages and shall not exceed the fees paid under the Principal Agreement for the preceding 12 months.
- 8.2. The Company shall indemnify and hold the Data Processor harmless against any claims, fines, or damages arising from:
- i. The Company's instructions violating applicable Data Protection Laws;
  - ii. Data breaches caused by insufficient instructions or failure to act on the part of the Company;
  - iii. Misuse of the Data Processor's services or failure to adhere to agreed procedures.
- 8.3. The Data Processor shall not be liable for indirect, consequential, or punitive damages, including loss of profit, revenue, or data.

- 8.4. The Company agrees to indemnify the Data Processor for any legal costs incurred in defending against claims arising from the Company's actions or inactions.

## **9. CONFIDENTIALITY**

- 9.1. Each Party agrees to maintain the confidentiality of all non-public information disclosed under this Agreement.
- 9.2. The Data Processor reserves the right to disclose aggregated, non-identifiable data for analytical and reporting purposes in compliance with the Privacy Policy.
- 9.3. The Data Processor shall not be held liable for inadvertent disclosures caused by the Company's actions or third-party breaches beyond the Data Processor's control.
- 9.4. Any breach of confidentiality by a Party that results in reputational or financial damage to the other Party shall entitle the other Party to seek equitable relief, including injunctions, in addition to any other remedies available by law.
- 9.5. For the performance of the obligations in relation to this Agreement, the Data Processor shall only appoint such principals, agents, contractors, employees who are informed about all relevant data privacy obligations and instructed to comply with confidentiality prior to performing their duties.

## **10. INDEMNIFICATION**

- 10.1. Each Party (the "Indemnifying Party") agrees to indemnify, defend, and hold harmless the other Party, its affiliates, officers, employees, and agents (the "Indemnified Parties") from and against any and all claims, actions, liabilities, losses, damages, expenses, or costs (including reasonable legal fees) arising from or relating to:

- i. Any failure by the Indemnifying Party to comply with its obligations under applicable Data Protection Laws, including the EU GDPR.
- ii. Any breach of this Agreement or the Principal Agreement by the Indemnifying Party, its employees, agents, or sub-contractors.
- iii. Any instruction, direction, or request by the Indemnifying Party to the Indemnified Party that violates applicable Data Protection Laws
- iv. Any claims brought by third parties, including but not limited to Data Subjects, Supervisory Authorities, or any other parties, arising from or relating to the processing of Company Personal Data under this Agreement, except where such claims arise directly from the Indemnified Party's breach of its obligations under this Agreement or Data Protection Laws.
- v. Neither Party shall be liable for any indemnification obligation under this clause to the extent that the claims, actions, liabilities, losses, damages, expenses, or costs arise directly from:
  - a. The gross negligence or willful misconduct of the Indemnified Party; or
  - b. The Indemnified Party's breach of this Agreement or applicable Data Protection Laws

10.2. This indemnity obligation shall survive the termination or expiration of this Agreement for a period of one (1) year.

## 11. **DATA TRANSFER**

- 11.1. The Data Processor may transfer personal data to any jurisdiction, provided that it implements the appropriate safeguards under applicable law, including Standard Contractual Clauses where required. The Data Processor shall provide the Company with at least five (5) days' prior written notice of any such transfer.

12. **GOVERNING LAW AND JURISDICTION**

- 12.1. This Agreement is governed by and construed in accordance with the laws of the United States of America.
- 12.2. Any disputes arising under this Agreement shall be subject to the exclusive jurisdiction of the courts of the United States of America