

Approved by the order of the
President of JSC "Commodity
Exchange "Caspy" №85-p
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**Policy of the Caspy Commodity Exchange JSC
in the field of processing and protection
personal data**

2024

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1. General provisions

1.1. The Policy of JSC Caspy Commodity Exchange in the field of personal data processing and protection (hereinafter - the Policy) is a fundamental internal document of JSC Caspy Commodity Exchange (hereinafter - the Exchange, the operator), which regulates issues related to personal data.

1.2. The Policy is developed in accordance with the Constitution of the Republic of Kazakhstan, the Civil Code of the Republic of Kazakhstan, the legislation of the Republic of Kazakhstan in the field of personal data protection, including the Law of the Republic of Kazakhstan dated May 21, 2013 № 94-V "On personal data and their protection" (hereinafter - the Law), the Order of the Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan dated 21 June 2023 № 199/NQ "On Approval of the Rules for determining by the owner and (or) operator of the list of personal data required and available to the Company".

1.3. The Policy defines the purposes, general principles and methods of personal data processing, lists of personal data subjects, rights of personal data subjects, as well as the implemented personal data protection measures.

1.4. The Policy applies to all employees of the Exchange (including employees under labour contracts and employees working under contractual agreements) and all structural subdivisions of the Exchange. The Policy provisions are also taken into account and applied to Exchange members and other persons when it is necessary for them to participate in the process of personal data processing by the Exchange, as well as in cases when personal data is duly transferred to them on the basis of agreements, contracts, processing orders.

1.5. The Policy applies to all Exchange processes involving the collection and processing of personal data of personal data subjects, both with the use of computing equipment, including information and telecommunications networks, and without the use of such equipment.

1.6. The Exchange's executives recognise the importance and necessity of personal data security and encourage continuous improvement of the personal data protection system.

1.7. The Policy is intended for familiarisation of an unlimited number of persons by publication on the Exchange's official website.

2 Terms and definitions used

1) Blocking of personal data - actions to temporarily stop the collection, accumulation, modification, amendment, addition, use, distribution, depersonalisation and destruction of personal data;

2) personal data protection - a set of measures, including legal, organizational and technical, implemented for the purposes established by this Law;

3) use of personal data - actions with personal data aimed at realizing the purposes of the owner's, operator's and third party's activities;

4) accumulation of personal data - actions to systematize personal data by entering them into a database containing personal data;

- 5) depersonalisation of personal data - actions, as a result of which it is impossible to determine whether personal data belong to the subject of personal data;
- 6) processing of personal data - actions aimed at accumulating, storing, modifying, supplementing, using, disseminating, depersonalising, blocking and destroying personal data;
- 7) operator of the base containing personal data (hereinafter - the operator) - a state body, individual and (or) legal entity that collects, processes and protects personal data. In this Policy, the term "operator" refers to JSC Caspy Commodity Exchange;
- 8) personal data - information relating to a certain or determined on their basis subject of personal data, recorded on electronic, paper and (or) other material medium;
- 9) dissemination of personal data - actions resulting in the transfer of personal data, including through mass media or providing access to personal data in any other way;
- 10) collection of personal data - actions aimed at obtaining personal data;
- 11) subject of personal data - a natural person to whom the personal data relate;
- 12) third party - a person who is not the subject, owner and (or) operator, but is related to them (him/her) by circumstances or legal relations on collection, processing and protection of personal data.
- 13) destruction of personal data - actions, as a result of which it is impossible to restore personal data;
- 14) storage of personal data - actions to ensure the integrity, confidentiality and availability of personal data.

3. Principles of collection, processing of personal data

3.1. The Exchange shall process personal data taking into account the need to ensure protection of the rights and freedoms of the Exchange's employees and other subjects of personal data, including protection of the right to privacy, personal and family secrecy, based on the following principles:

- processing of personal data is carried out on a lawful and fair basis;
- the processing of personal data is limited to the achievement of specific, predetermined and legitimate purposes;
- processing of personal data incompatible with the purposes of personal data collection is not allowed;
- merging of databases containing personal data processed for incompatible purposes is not allowed;
- only personal data that fulfil the purposes for which they are processed are subject to processing;
- the content and scope of processed personal data corresponds to the declared purposes of processing. The redundancy of processed personal data in relation to the stated purposes of their processing is not allowed;
- when processing personal data, the accuracy of personal data, their

sufficiency and, where necessary, relevance in relation to the purposes of personal data processing shall be ensured. The Exchange shall take necessary measures or ensure their taking to delete or clarify incomplete or inaccurate personal data;

- storage of personal data is carried out in a form that allows to identify the subject of personal data, not longer than required by the purposes of personal data processing, unless the period of storage of personal data is not established by the legislation of the Republic of Kazakhstan, the contract to which the subject of personal data is a party, beneficiary or guarantor.

3.2. Collection, processing of subjects personal data is carried out on a lawful and fair basis and is limited to the achievement of specific, predetermined and legitimate goals and objectives. Redundancy of processed data is not allowed.

3.3. When processing personal data, the accuracy of personal data, their sufficiency and, where necessary, relevance in relation to the purposes of personal data processing shall be ensured.

3.4. The Exchange shall store personal data in a form enabling to identify the subject of personal data for no longer than required by the purposes and objectives of personal data processing, and shall destroy personal data upon achievement of the purposes of their processing or in case of loss of necessity to achieve these purposes, unless otherwise provided for by the Law.

4. Purposes of personal data processing

4.1. The content and scope of processed personal data shall be determined based on the purposes of processing. Personal data that are redundant or incompatible with the following main purposes shall not be processed:

- regulating labour relations with the Exchange's employees (employment assistance, training and promotion, ensuring personal safety, controlling the quantity and quality of work performed, ensuring the safety of property);
- exercise of rights and legitimate interests of the Exchange, within the scope of activities stipulated by the Charter and internal documents of the Exchange, or third parties or achievement of socially significant goals;
- preparation, conclusion, fulfilment and execution and termination of contracts with Exchange members, counterparties and clients of the Exchange;
- contractual obligations of the Exchange to the Exchange's clients;
- Compliance with applicable labour, accounting, pension and other legislation of the Republic of Kazakhstan;
- ensuring admission and in-building security at the Exchange's facilities;
- execution of judicial acts, acts of other bodies or officials subject to execution in accordance with the legislation of the Republic of Kazakhstan on enforcement proceedings;
- for other legitimate purposes.

5. Categories of personal data subjects, content and scope of processed

personal data

5.1. The main categories of personal data subjects whose data is processed by the Exchange include:

- individuals having labour and civil law relations with the Exchange;
- individuals having labour and civil law relations with Exchange members, brokers (dealers);
- individuals who have labour and civil law relations with the Exchange's counterparties, including individuals who are representatives of clients - legal entities;
- candidates to fill vacant positions;
- other subjects whose personal data have been transferred to the Exchange by other persons on the basis of concluded agreements and (or) consent to collection and processing of personal data.

5.2. The following information may be processed for the specified categories of subjects: surname, name, patronymic; year, month, date of birth; place of birth, address; marital status; social status; property status; education; profession; income; IIN, contact information (telephone number, e-mail address), other information provided for by the standard forms and the established procedure for processing.

5.3. The Exchange shall not collect, process personal data of a personal data subject concerning race, gender, nationality, political views, religious beliefs, state of health, intimate life.

5.4. The Exchange shall not be liable for unreliable information provided by the subject of personal data. The Exchange does not verify the reliability of personal information provided by the subject of personal data and has no opportunity to assess his/her capacity. However, the Exchange assumes that the subject of personal data provides reliable and sufficient personal information and keeps this information up to date.

6. Receipt of personal data of the personal data subject, procedure of giving consent of the personal data subject to collection, processing of personal data

6.1. Collection and processing of personal data of the subject of personal data shall be carried out by the Exchange with the consent of the subject of personal data or his/her legal representative. The Exchange may collect personal data of personal data subjects by means of:

- personal data subject's personal communication of his/her data or submission of documents;
- the subject of personal data submitting his/her personal data on any section of the Exchange's website;
- from third parties (clients, counterparties);
- from publicly available sources;
- other ways not prohibited by the legislation of the Republic of Kazakhstan.

6.2. Consent to the collection and processing of personal data may be

provided by the subject of personal data or his/her legal representative in writing, in the form of an electronic document, by means of a personal data security service or in any other way with the application of elements of protective actions that do not contradict the legislation of the Republic of Kazakhstan.

6.3. In the absence of the personal data subject's consent to the collection and processing of his personal data, such collection and processing shall not be carried out by the Exchange.

6.4. In case of receiving personal data from third parties (clients, counterparties, etc.), the obligation to obtain consents for collection, processing and transfer of such personal data lies with these third parties.

6.5. In case of obtaining personal data from publicly available information sources, obtaining consent of personal data subjects is not required according to the requirements of the legislation of the Republic of Kazakhstan.

7. Access and confidentiality of personal data

7.1. The list of employees and other persons allowed to collect and process personal data shall be determined by the Exchange's internal documents. These persons shall be familiarised prior to commencement of work:

- with the provisions of the legislation of the Republic of Kazakhstan on personal data, including the requirements for the procedure of personal data protection;
- with the documents defining the actions of the operator in relation to the collection and processing of personal data, including this Policy;
- with the Exchange's internal documents on collection, processing of personal data.

7.2. Access to personal data of personal data subjects shall be granted to the Exchange employees in accordance with their job duties.

7.3. The Exchange employees processing personal data of personal data subjects shall be informed about the fact of such processing, peculiarities and rules of such processing established by the legislation of the Republic of Kazakhstan and internal documents of the Exchange.

7.4. The Exchange employees shall ensure compliance with confidentiality requirements and shall bear responsibility for consequences related to violation of such requirements.

7.5. The Exchange shall not place personal data of personal data subjects in publicly available sources.

7.6. The Exchange may entrust personal data processing to a third party with the consent of the subject of personal data on the basis of a contract concluded with this person. The agreement shall contain a list of actions (operations) with personal data to be performed by the person processing personal data, the purposes of processing, the obligation of such person to observe confidentiality of personal data and ensure security of personal data during their processing, as well as requirements to protection of processed personal data in accordance with Chapter 3

of the Law.

8. Accumulation and storage of personal data

8.1. Accumulation of personal data is performed by collecting personal data necessary and sufficient for the fulfilment of tasks performed by the owner and (or) operator, as well as by a third party.

8.2. Storage of personal data of personal data subjects, the purposes of processing of which are different, shall be carried out separately within the information system or, subject to storage on tangible media, within the file structure of the relevant division of the Exchange.

8.3. Storage of personal data of personal data subjects shall be carried out by the Exchange in a form allowing to identify the subject of personal data.

8.4. Period of personal data storage - no longer than required by the purposes of personal data processing, unless the period of personal data storage is established by the Law, contract or determined by the terms of consent to personal data processing, or until the moment of personal data subject's statement of his/her desire to withdraw consent to the collection, processing of personal data.

8.5. The personal data subject has the right to request in writing the destruction of his/her personal data if the personal data is incomplete, outdated, inaccurate, illegally obtained or not necessary for the stated purpose of processing.

8.6. Unless otherwise provided for by the legislation of the Republic of Kazakhstan, the Exchange shall take reasonable measures to destroy or depersonalise personal data in cases when they are redundant or when the purposes of their collection and processing have been achieved, as well as in other cases established by the Law and other regulatory legal acts of the Republic of Kazakhstan.

8.7. Processed personal data shall be destroyed or anonymised when the following conditions occur:

- achievement of the purposes of personal data processing or maximum retention periods - within 30 days;
- loss of necessity to achieve the purposes of personal data processing - within 30 days;
- provision by the personal data subject or his/her legal representative of confirmation that the personal data are illegally obtained or are not necessary for the stated purpose of processing - within 7 days;
- impossibility to ensure the lawfulness of personal data processing - within 10 days;
- revocation of consent to personal data processing by the personal data subject, if personal data retention is no longer required for the purposes of personal data processing - within 30 days;
- expiry of limitation periods for legal relations within the framework of which personal data processing is or was carried out;
- liquidation (reorganisation) of the operator.

8.8. In the event that the data subject wishes to delete his or her personal data or cease processing, this may mean that the operator will no longer be able to

interact with or provide services to the data subject who has withdrawn his or her personal data.

8.9. A personal data subject or his/her legal representative may not withdraw consent to collection, processing of personal data in cases if it contradicts the legislation of the Republic of Kazakhstan, or in the presence of an unfulfilled obligation to the Exchange.

9. Protection of personal data

9.1. When collecting, processing personal data, the Exchange shall take all necessary legal, organisational and technical measures to protect personal data from unlawful or accidental access to them, destruction, modification, blocking, copying, provision, distribution of personal data, as well as from other unlawful actions.

9.2. Ensuring the security of personal data is achieved, in particular:

- appointment of a responsible unit or employee of the Exchange for organisation of collection and processing of personal data;
- approval by the Exchange of this Policy, internal acts on collection, processing of personal data, as well as internal acts establishing procedures aimed at prevention and detection of violations of the laws of the Republic of Kazakhstan, elimination of consequences of such violations;
- application of legal, organisational and technical measures to ensure the security of personal data in accordance with Article 22 of the Law;
- checking whether there are clauses on ensuring confidentiality of personal data in the contracts and including them, if necessary;
- limitation and delimitation of access of the Exchange's employees and other persons to personal data and means of processing, monitoring of actions with personal data;
- application of security tools (anti-virus tools, firewalls, means of protection against unauthorised access, means of cryptographic protection of information), including those that have undergone the conformity assessment procedure in accordance with the established procedure;
- internal control over compliance of collection, processing and storage of personal data with the Law and regulatory legal acts adopted in accordance therewith, personal data protection requirements, this Policy and internal acts of the Exchange.

10. Rights of the subject of personal data

10.1. The subject of personal data shall have the right to withdraw consent to the processing of personal data by sending a relevant request to the Exchange as an operator by mail or applying in person.

10.2. The personal data subject has the right to receive and have access to his/her complete information, his/her personal data processed by the operator,

including those containing:

- confirmation of the fact of personal data processing by the operator;
- legal grounds and purposes of personal data processing;
- the purposes and methods of personal data processing applied by the operator;
- name and location of the operator, information about persons (except for the operator's employees) who have access to personal data or to whom personal data may be disclosed on the basis of a contract with the operator or on the basis of the legislation of the Republic of Kazakhstan;
- processed personal data related to the respective subject of personal data, the source of their receipt, unless another procedure for the submission of such data is provided for by the legislation of the Republic of Kazakhstan;
- the terms of personal data processing, including the terms of their storage;
- the procedure for exercising by the personal data subject of the rights provided by the Law;
- information about the realised or suspected cross-border data transfer;
- the name or surname, first name, patronymic and address of the person who processes personal data on behalf of the operator, if the processing is or will be entrusted to such a person;
- other information stipulated by the Law or other regulatory legal acts of the Republic of Kazakhstan.

10.3. The subject of personal data has the right to demand from the operator to clarify his/her personal data, block or destroy it if the personal data is incomplete, outdated, inaccurate, illegally obtained or not necessary for the stated purpose of processing, as well as to take measures provided for by law to protect his/her rights.

10.4. If the subject of personal data believes that the operator carries out processing of his personal data in violation of the requirements of the Law or otherwise violates his rights and freedoms, the subject of personal data has the right to appeal the action or inaction of the operator, carried out in violation of the requirements of the legislation of the Republic of Kazakhstan in the field of personal data, to the authorised body for the protection of the rights of subjects of personal data or to the court.

10.5. The subject of personal data has the right to protect his/her rights and legitimate interests, including compensation for losses and (or) compensation for moral damage in court.

10.6. To ensure compliance with the rights of personal data subjects established by the legislation of the Republic of Kazakhstan, the Exchange shall maintain the procedure for handling appeals and requests of personal data subjects, as well as the procedure for providing personal data subjects with information established by the legislation of the Republic of Kazakhstan in the field of personal

data.

10.7. A personal data subject's request shall contain the number of the main personal data subject's or his/her legal representative's identity document, information on the date of issue of the said document and the issuing authority, information confirming the personal data subject's participation in relations with the Exchange (contract number, date of conclusion of the contract, conditional word designation and (or) other information), or information otherwise confirming the fact of personal data processing by the Exchange, signature of the personal data subject or his/her representative

10.8. The Exchange employees are not entitled to answer questions related to the transfer or disclosure of personal data by phone or fax, due to the fact that in such a case it is impossible to identify the identity of the person contacted.

11. Compliance with the Policy

11.1. The Exchange employees and other persons guilty of violation of norms regulating processing and protection of personal data shall bear material, disciplinary, administrative, civil or criminal liability in accordance with the procedure established by the legislation of the Republic of Kazakhstan, internal documents and agreements of the Exchange as an operator.

11.2. Responsibility of persons involved in processing of personal data on the basis of orders of the Exchange as an operator for unlawful use of personal data shall be established in accordance with the terms and conditions of a civil law contract or information confidentiality agreement concluded between the operator and the counterparty.

12. Final provisions

12.1 The Policy, as well as all additions and amendments thereto, shall be approved, amended, recognised as invalid by decision of the Exchange President.

12.2 The Policy shall come into effect from the date of approval by the Exchange President, unless the Exchange President's decision establishes another term for its implementation.

12.3. The Policy is reviewed as necessary, but at least once every three years for its relevance and compliance with the legislation of the Republic of Kazakhstan.

12.4. On all issues not reflected in the Policy, the Exchange shall be guided by the legislation of the Republic of Kazakhstan, as well as other internal regulatory documents of the Exchange.

12.5. If, as a result of changes in the regulatory legal acts of the Republic of Kazakhstan, certain provisions of the Policy come into conflict with them, the current legislation of the Republic of Kazakhstan shall govern until the Policy is amended.